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NEW DELHI, SATURDAY, JANUARY 27, 2001/MAGHA 7, 1922

इस भाग में सिवा पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए संविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कार्मिक, लोक शिकायत एवं पेंशन मंत्रालय
(कार्मिक एवं प्रशिक्षण विभाग)
नई दिल्ली, 16 जनवरी, 2001

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSION
(Department of Personnel & Training)
New Delhi, the 16th January, 2001

का.आ. 113—अपराधिक प्रक्रिया संहिता, 1973
(1974 के 2) की धारा 24 की उपधारा (8) द्वारा
प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार श्री
वार्ड के सम्मेलन, वकील एवं अनिरीक्त कानूनी सलाहकार
(मेवानिवृत्त) सीबीआई, दिल्ली, को केस आरसी 1(एन)/
82-एसआईए-II/एमआईसी-1/नई दिल्ली (ओ पी सक्लेचा-
डीडीए लैंड एलॉटमेंट फंड केस) तथा इसमें सम्बन्धित व
आनुषंगिक किसी अन्य मामले में अनिरीक्त जिला एवं सेशन
जज के न्यायालय में केस की जांच के लिए विशेष लोक
नियोजक नियुक्त करती है।

S.O. 113.—In exercise of the powers
conferred by sub-section (8) of section 24 of
the Code of Criminal Procedure, 1973 (Act
No 2 of 1974), the Central Government
hereby appoints Sh. Y. K. Saxena, Advocate
and Addl. Legal Advisor (Retired) CBI,
Delhi as Special Public Prosecutor for con-
ducting the trial of the case in the court of
the Addl. District & Sessions Judge, Delhi in
case RC-1(S)/82-SIU.II/SIC.I/New Delhi
(O. P. Saklecha—DDA Land Allotment
Fraud Case and any other matter connected
therewith and incidental thereto.

[सं. 225/29/2000-ए.वी.डी.—II(i)]

[No. 225/29/2000-AVD.II(i)]

हरि सिंह, अवसर सचिव

HARI SINGH, Under Secy.

नई दिल्ली, 16 जनवरी, 2001

का.आ. 114—आतंकवादों एवं विघटनकारी गति-विधियों (निरोधक) अधिनियम 1987 (1987 का अधिनियम संख्या 28) की धारा 13 की उपधारा (1) के प्रावधानों द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार श्री वाई.के. सक्सेना, वकील एवं अतिरिक्त कानूनी सलाहकार (सेवानिवृत्त) सीबीआई, दिल्ली, को केस आरसी 8 (एस)/96-एम-आईयू-1/एमआईसी-1/नई दिल्ली (डा. मेघराज मर्डर केस) में अभियोजन के लिए विशेष लोक अभियोजक नियुक्त किया है।

[स. 225/29/2000-ए.बी.डी.-II (ii)]

हरि सिंह, अवर सचिव

New Delhi, the 16th January, 2001

S.O. 114.—In exercise of the powers conferred by the proviso to Sub-Section (I) of Section-13 of the Terrorist and Disruptive Activities (Prevention) Act 1987 (Act No. 28 of 1987), the Central Government hereby appoints Sh. Y. K. Saxena, Advocate and Addl. Legal Advisor (Retired) CBI, Delhi as Special Public Prosecutor for conducting prosecution of Regular Case No. 8(S)/96-SIU-I/SIC-I/New Delhi (Dr. Megh Raj Goel Murder Case) in the court of Addl. District & Sessions Judge (Designated TADA Court) at Patiala, Punjab and other matter connected therewith or incidental thereto.

[No. 225/29/2000-AVD-II(ii)]

HARI SINGH, Under Secy.

नई दिल्ली, 16 जनवरी, 2001

का.आ. 115—अपराधिक प्रक्रिया संहिता, 1973 (1974 के 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार श्री वाई.के. सक्सेना, वकील एवं अतिरिक्त कानूनी सलाहकार (सेवानिवृत्त) सीबीआई, दिल्ली, को केस आरसी 4(एस)/87-एमआईयू-1/एमआईसी-1/नई दिल्ली (के.के. जजोदिया केस) तथा उससे संबंधित व आनुसंगिक किसी अन्य मामलों में, मुख्य मेट्रोपोलिटन मजिस्ट्रेट, दिल्ली के न्यायालय में केस की जांच के लिए विशेष लोक अभियोजक नियुक्त करती है।

[स. 225/29/2000-ए.बी.डी.-II(iii)]

हरि सिंह, अवर सचिव

New Delhi, the 16th January, 2001

S.O. 115.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Y. K. Saxena,

Advocate and Additional Legal Advisor (Retired) CBI, Delhi as Special Public Prosecutor for conducting the trial of the case in the court of the Chief Metropolitan Magistrate, Delhi in case RC-4(S)/87-SIU. I/SIC. I/New Delhi (K. K. JAJODIA CASE) and any other matter connected therewith and incidental thereto.

[No. 225/29/2000-AVD-II(iii)]

HARI SINGH, Under Secy.

नई दिल्ली, 16 जनवरी, 2001

का.आ. 116—केन्द्रीय सरकार, एतद्वारा दण्ड प्रक्रिया संहिता, 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उपधारा 8 द्वारा शक्तियों का प्रयोग करते हुए श्री एम. के. सक्सेना मेट्रोपॉलिटन और अपर विधि सलाहकार (सेवानिवृत्त), केन्द्रीय जन्वेषण-व्यूरो, दिल्ली को पंजाब और हरियाणा उच्च न्यायालय, चण्डीगढ़ और सी.-बी.आई. मामलों के लिए विशेष मजिस्ट्रेट/विशेष जज, पटियाला में मामला सं. आर. सी. 5(एस)/2000-एम. आई.यू.-1/एम.आई.सी.-1/नई दिल्ली (गिरमणि मूक-द्वारा प्रबंधक समिति की भूतपूर्व अध्यक्षता, बीबी जागीर कार की पुत्री सश्री हरप्रीत कौर की गैरकानूनी बिरासत एवं हत्या) और इससे संबंध और आनुसंगिक किसी अन्य मामले में विचारण के लिए विशेष लोक अभियोजक नियुक्त करती है।

[स. 225/52/2000-ए.बी.डी.-II]

हरि सिंह, अवर सचिव

New Delhi, the 16th January, 2001

S.O. 116.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Sh. S. K. Saxena, Advocate and Addl. Legal Advisor (Retired) CBI, Delhi as Special Public Prosecutor for conducting the trial of the case in the Punjab & Haryana High Court, Chandigarh & Spl. Magistrate/Spl. Judge for CBI cases, Patiala in case RC-5(S)/2000-SIU. I/SIC. I/New Delhi (Illegal Confinement and Murder of M/s. Harpreet Kaur d/o Bibi Jagir Kaur, former SGPC President) and any other matter connected therewith and incidental thereto.

[No. 225/52/2000-AVD-II]

HARI SINGH, Under Secy.

नई दिल्ली, 17 जनवरी, 2001

का.आ. 117—अपराधिक प्रक्रिया संहिता, 1973 (1974 के 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार श्री वाई.-के. सक्सेना, वकील एवं अतिरिक्त कानूनी सलाहकार (सेवानिवृत्त) सीबीआई, दिल्ली, को केस आरसी 9(एस)/88-एमआईयू-1/एमआईसी-1/नई दिल्ली (त्रिगेडियर आर.एम.

देशीय केस) तथा इससे संबंधित व औद्योगिक किसी अन्य मामले में, मुख्य मेट्रोपॉलिटन मजिस्ट्रेट, दिल्ली के न्यायालय में केस की जांच के लिए विशेष लोक अभियोजक नियुक्त करती है।

[स. 225/29/2000-प.वो.ई -II(iv)]

हरि सिंह, अवर सचिव

New Delhi, the 17th January, 2001

S.O. 117.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Sh. Y. K. Saxena, Advocate and Addl. Legal Advisor (Retired) CBI, Delhi as Special Public Prosecutor for conducting the trial of the case in the court of the Chief Metropolitan Magistrate, Delhi in case RC-9(S)/88-SIU, I/SIC, I/New Delhi (Brig. R. S. Deol Case) and any other matter connected therewith and incidental thereto.

[No. 225/29/2000-AVD-II(iv)]

HARI SINGH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 4 जनवरी, 2001

स्टाम्प

भा. मा. 118—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त श्रुत्क को माफ करती है जो पंजाब राज्य औद्योगिक विकास निगम लिमिटेड, चंडीगढ़ द्वारा प्रोमिसरी नोटों के रूप में निम्न प्रकार वर्णित वधपत्रों पर उक्त अधिनियम कानून प्रभावी है।

(क) 31-3-2000 को आवंटित किए गए 1 से 5000 तक की श्रिण्ट संख्या वाले एक-एक लाख रु. मूल्य के मात्र पचास करोड़ रु. के समग्र मूल्य के 12.25 प्रतिशत प. रा. आ. वि. नि. बंधपत्र-2001 (1999—चौथी श्रृंखला); और

(ख) 31-5-2000 को आवंटित किए गए 1 से 1551 तक की श्रिण्ट संख्या वाले एक-एक लाख रु. मूल्य के मात्र तेरह करोड़ एकसठ लाख रु. के समग्र मूल्य के 12.15 प्रतिशत प. रा. आ. वि. नि. बंधपत्र-2002 (2000—प्रथम श्रृंखला)।

[स. 1/2001-स्टाम्प/फा. सं. 33/58/2000—वि. क.]

अभय त्रिपाठी, निदेशक (वि.क.)

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 4th January, 2001

STAMPS

S.O. 118.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as :—

(a) 12.25% PSIDC BONDS—2001 (1999—IVth Series) bearing distinctive numbers from 1 to 5000 of rupees one lakh each aggregating to rupees fifty crore only allotted on 31-03-2000; and

(b) 12.15% PSIDC BONDS—2002 (2000—1st Series) bearing distinctive numbers from 1 to 1361 of rupees one lakh each aggregating to rupees thirteen crore sixty one lakh only allotted on 31-05-2000.

by the Punjab State Industrial Development Corporation Limited, Chandigarh, are chargeable under the said Act.

[No. 1/2001-STAMPS/F. No. 33/58/2000-ST]

ABHAY TRIPATHI, Director (Sales Tax)

आदेश

नई दिल्ली, 4 जनवरी, 2001

स्टाम्प

भा. मा. 119—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, स. आई. एफ. सी. आई. लिमिटेड, नई दिल्ली को मात्र तेनावीस लाख सैतीस हजार रुपये का समेकित स्टाम्प श्रुत्क अदा करने की अनुमति प्रदान करती है, जो उक्त कारपोरेशन द्वारा दिनांक 20-11-2000 को आवंटित किए गए मात्र तेनावीस करोड़ सैतीस लाख रुपये के मस्र मूल्य के 3800001 से 3804337 तक की श्रिण्ट संख्या वाले आई. एफ. सी. आई. प्रोमिसरी बंधपत्र (XXXVIII श्रृंखला) प्रोमिसरी नोटों के स्वरूप में वर्णित वधपत्रों पर स्टाम्प श्रुत्क के कारण प्रभावी है।

[स. 2/2001-स्टाम्प/फा. सं. 33/58/2000—वि. क.]

अभय जो. आजा, अवर सचिव

ORDER

New Delhi, the 4th January, 2001

STAMPS

S.O. 119.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. IFCI Limited, New Delhi to pay consolidated stamp duty of rupees forty three lakh thirty seven thousand only chargeable on account of the stamp duty on Bonds in the nature of promissory notes described as IFCI PP Bonds (XXVIII Series) bearing distinctive numbers from 3800001 to 3804337 aggregating to rupees forty three crore thirty seven lakh only allotted on 20-11-2000, by the said Corporation.

[No. 2/2001-STAMPS/F. No. 33/78/2000-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 9 जनवरी, 2001

स्टाम्प

का. आ. 120—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खड (ख) द्वारा प्रदान शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा, मै. आई. सी. आई. सी. आई. लि., मुम्बई को मात्र दो करोड़ दो लाख सत्तानवे हजार आठ सौ तेरह रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है जो उक्त कम्पनी द्वारा बंधपत्रों के रूप में जारी किए जाने वाले मात्र दो सौ सत्तर करोड़ तिरमठ लाख पचहत्तर हजार रुपये के समग्र मूल्य के 541275 आई. सी. आई. सी. आई. असुरक्षित विमोच्य बंधपत्रों (नवम्बर, 2000 शृङ्खला) पर स्टाम्प शुल्क के कारण प्रभाय है।

[स 4/2001-स्टाम्प/फा. स 33/1/2000-वि क]

आर. जी. छाबड़ा, अवसर सचिव

ORDER

New Delhi, the 9th January, 2001

STAMPS

S.O. 120.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. IFCI Limited, Mumbai to

pay consolidated stamp duty of rupees two crore two lakh ninety seven thousand eight hundred thirteen only chargeable on account of the stamp duty on 541275 ICICI Unsecured Redemable Bonds (November, 2000 Issue) in the nature of Debentures aggregating to rupees two hundred seventy crore sixty three lakh seventy five thousand only, to be issued by the said company.

[No. 4/2001-STAMPS/F. No. 33/1/2000-ST]

R. G. CHHABRA, Under Secy.

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 18 जनवरी, 2001

(आयकर)

का. आ. 121—आयकर अधिनियम, 1961 (1961 का 43) की धारा 120 की उपधारा (6) द्वारा प्रदान शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्द्वारा मुख्य आयकर आयुक्तों को उन सभी अनिवार्यताओं को अपने क्षेत्राधिकार में लाने के लिए शक्तियां प्रदान करना है जिनका अपने क्षेत्रों में आय का कोई भी स्रोत है बशर्ते कि ऐसे अनिवामी —

(1) जिनका अब तक किसी अन्य मुख्य आयकर आयुक्त के क्षेत्राधिकार में कर निर्धारण नहीं किया गया है, और

(2) भारत सरकार के दिनांक 29 अक्टूबर, 1985 की अधिसूचना का आ. 768 (फा. स. 187/29/84-आयकर नि.-1) के तहत जारी किए गए क्षेत्राधिकार आदेश द्वारा शामिल नहीं किए गए हो।

[अधिसूचना स 19/2001/फा. स 186/10/2000-आयकर नि.-1]

समर भद्र, अवसर सचिव

(Central Board of Direct Taxes)

New Delhi, the 18th January, 2001

(INCOME TAX)

S.O. 121.—In exercise of the powers conferred by sub-section (6) of section 120 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct taxes hereby empowers the Chief Commissioners of Income Tax to have jurisdiction over all the non-residents who have any source of income in their regions provided that such non residents: —

- (i) are not hitherto assessed to tax in the jurisdiction of any other Chief Commissioner of Income Tax; and
- (ii) are not covered by the Jurisdiction Order issued vide notification of the Government of India, S.O. 768 (F. No. 187/29/84-ITA-I) dated the 29th October, 1985.

[Notification No. 19/2001/F. No. 186/10/2000-ITA-I]

SAMAR BHADRA, Under Secy.

(राजस्व विभाग)

(कार्यालय आयुक्त केन्द्रीय उत्पाद शुल्क)

चण्डीगढ़, 24 अक्टूबर, 2000

सं. 2/2000-एन टी. (सीमा)

का.आ. 122.—भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली, की अधिसूचना संख्या 33/99-सीमा(एन.टी.) दिनांक 1-7-94 में प्रदत्त शक्तियों का प्रयोग करते हुए, मैं एतद्वारा सीमा शुल्क अधिनियम, 1962 (1962 की सं. 52) की धारा 9 के अन्तर्गत पंजाब राज्य में गांव जमालपुर, तहसील फगवाड़ा, जिला कपूरथला को 100 प्रतिशत निर्यातमुख्य उपक्रम के उद्देश्य के लिये भांडागार स्टेशन घोषित करना हूँ।

[फा.स. VIII (मृ.) 40/1/सीमा/2000/5486-97] •
एच.एल. वर्मा, आयुक्त

(Department of Revenue)

Office of the Commissioner of Central Excise)

Chandigarh, the 24th October, 2000

No. 2/2000-NT(Cus)

S.O. 122.—In exercise of the powers conferred by Notification No. 33/94-Cus(NT) dated 1-7-94 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, Village Jamalpur, Tehsil-Phagwara, District Kapurthala, in the State of Punjab is hereby declared to be a warehousing station under Section 9 of the Customs Act, 1962 (No. 52 of 1962) for purpose of setting up of Hundred per cent Export oriented undertaking (100% EOU).

[C. No. VIII(HQ)40/1/CUS/2000/5486-97]

• H. L. VERMA Commissioner

(आर्थिक कार्य विभाग)
(बैंकिंग प्रभाग)

नई दिल्ली, 15 जनवरी, 2001

का. आ 123.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) अधिनियम 1970 के खण्ड 3 के उप खण्ड (1) के साथ पठित बैंककारी कंपनी (अंकित) का प्रमाण पत्र

अन्तर्गत) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक, भुवनेश्वर के क्षेत्रीय निदेशक, श्री आनंद सिन्हा को तत्काल प्रभाव में अगला आदेश होने तक श्री सी. आर. गोपाल मुन्दरम के स्थान पर देना बैंक के निदेशक के रूप में नियुक्त करती है।

[फा. सं. 9/18/2000-बी. ओ.-1]

रमेश चन्द, प्रवर सचिव

(Department of Economic Affairs)
(Banking Division)

New Delhi, the 15th January, 2001

S.O. 123.—In exercise of the powers conferred by clause (c) of sub-section (3) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, hereby nominates Shri Anand Sinha, Regional Director, Reserve Bank of India, Bhubaneswar as a Director of Dena Bank with immediate effect and until further orders, ~~and~~ Shri C. R. Gopalsundaram.

[F. No. 9/18/2000-B.O.]

RAMESH CHAND, Under Secy.

(व्यय विभाग)

नई दिल्ली, 15 जनवरी, 2001

का.आ. 124.—भविष्य निधि अधिनियम, 1925 (1925 का 19वां) की धारा 8 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित सार्वजनिक संस्थान का नाम उक्त अधिनियम की अनुसूची में शामिल करती है अर्थात् :—

“नेशनल काउंसिल फॉर टीचर एजुकेशन”

[सं. 4(1)-ए/95(I)]

मोहिनंदर सिंह, निदेशक

(Department of Expenditure)

New Delhi, the 15th January, 2001

S.O. 124.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely :—

“National Council for Teacher Education”.

[No. 4(1)-EV/95(I)]

MOHINDER SINGH, Director

इ

, 2001

का.आ. 125.—भविष्य निधि अधिनियम, 1925 (1925 का 19वां) की धारा 8 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एन.डी. द्वारा निदेश देती है कि उक्त अधिनियम के उपबन्ध (धारा 6क को छोड़कर) उक्त अधिनियम की अनुसूची में विनिर्दिष्ट "नेशनल काउंसिल फॉर टीचर एजुकेशन" के कर्मचारियों के लाभार्थ स्थापित भविष्य निधि पर भी लागू होंगे।

[मं. 4(1)सव/95(II)]

मोहिनंदर सिंह, निदेशक

New Delhi, the 15th January, 2001

S.O. 125.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act (except section (6A)) shall apply to the Provident Fund established for the benefit of the employees of the National Council for Teacher Education specified in the Schedule to the said Act.

[No. 4(1)-EV/95(II)]

MOHINDER SINGH, Director

वस्त्र मंत्रालय

नई दिल्ली, 5 जनवरी, 2001

का. आ. 126.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम 4 के अनुसरण से वस्त्र मंत्रालय के अंतर्गत आने वाले निम्नलिखित कार्यालयों को जिनमें 80% कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है —

1. अनुसंधान विस्तार केन्द्र, उप इकाई, केन्द्रीय रेशम बोर्ड, काशीपुर-723132, पुरुलिया, पश्चिमी बंगाल।
2. अनुसंधान विस्तार केन्द्र, केन्द्रीय रेशम बोर्ड, मोथाबाड़ी-732207, मालदा, पश्चिमी बंगाल।
3. राष्ट्रीय फैशन टेक्नालाजी संस्थान, निफ्ट कॉम्प्लेक्स, हाउस खस, नई दिल्ली-110016।

[मं. ई-11016/1/99-हिन्दी]

चन्द्र भानु, उप-सचिव

MINISTRY OF TEXTILES

New Delhi, the 5th January, 2001

S.O. 126.—In pursuance of sub-rule 4 of Rule 10 of the Official Language (use for official purposes of the Union), Rules, 1976 the Central Government hereby notifies the following offices under the Ministry of Textiles whereof more than 80% staff have acquired working knowledge of Hindi:—

1. Research Extension Centre, Sub-unit, Central Silk Board, Kashipur-723 132, Purulia, West Bengal.
2. Research Extension Centre, Central Silk Board, Mothabadi-732 207, Malda, West Bengal.
3. National Institute of Fashion Technology, NIFT Complex, Haus Khas, New Delhi-110016.

[No. E-11016/1/99-Hindi]

CHANDER BHAN, Dy. Secy.

(डाक विभाग)

कोच्चि, 16 जनवरी, 2001

का.आ. 127.—केन्द्र सरकार की राय में श्री पी. के. माधवन, विभागेतर डिप्टी वरी एजेंट पुल्लूर, इरिंजालकुडा मण्डल में संबंधित विभागीय जांच में गवाहों के रूप में बुलाना/गवाहों से कोई दस्तावेज मांगना आवश्यक है।

विभागीय जांच अधिनियम, 1972 (1972 का 13वां) (गवाह की उपस्थिति एवं दस्तावेजों का प्रस्तुति का प्रवर्तन) की धारा 4 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रत्यायोजन करते हुए, केन्द्र सरकार अब श्री पी. के. माधवन, विभागेतर डिप्टी वरी एजेंट, पुल्लूर के विरुद्ध नियम 8 के अधीन पुछताछ के सिलसिले में, उक्त अधिनियम की धारा 5 में विनिर्दिष्ट शक्तियों का प्रत्यायोजन करते आच प्राधिकारी के रूप में श्री टी. के. जेकर, उप-मंडल निरीक्षक, चालकुडी उपप्रभाग, चालकुडी को एन.डी. द्वारा प्राधिकृत करता है।

[मं. अन्वेषण/4-4/12/99]

पी. सी. बाबुराज, पोस्टमास्टर जनरल

(Department of Posts)

Kochi, the 16th January, 2001

S.O. 127.—Whereas the Central Government is of the opinion that for the purpose of the Departmental Inquiry relating to Sri P. K. Madhavan, EDDA, Pullur, Irinjalkuda Division, Trichur District, it is necessary to summon as witnesses/call for any document from the witnesses;

Now, therefore, in exercise of the powers conferred by Sub-Section (i) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorise Sri T. K. Jacob, Sub-Divisional Inspector, Chalakudy Sub-Division, Chalakudy as the Inquiring Authority to exercise the power specified in Section 5 of the said Act in relation to the Rule-8 Inquiry against Sri P. K. Madhavan, FDDA Pullur.

[No. VIC/4-4/12/99]

P. C. BABURAJ, Postmaster Genl.

विद्युत मंत्रालय

नई दिल्ली 16 नवम्बर, 2000

एस आर 1.8— सार्वजनिक स्थान (अपारिअर आडिओमिथो की वेदवर्ती), परिचय, 1971 (1971 का 10) की धारा-3 के द्वारा प्रदत्त शक्ति का प्राप्ति करने वाले केंद्रीय सरकार एन एन निर्माण विनियमन के बालम (1) में उल्लिखित नेशनल थर्मल पावर कार्पोरेशन लिमिटेड या अधिकांश को, जो कि भारत सरकार के राजपत्र अधिकारी के पत्र के सम्पदा है या अधिनियम के प्रयोग के लिए सम्पदा अधिकारी नियमन करने के जा कथित विनियमन के बालम (2) में उल्लिखित सार्वजनिक स्थानों की श्रेणिया के बारे में अपने अधिकार क्षेत्र की स्थानीय सीमाओं के भीतर उक्त अधिनियम के द्वारा अथवा उसके अन्तर्गत सम्पदा अधिकारी का प्रदत्त की गई शक्तियों का प्रयोग करने वाले और सम्पदा अधिकारी को सीपे का उत्तरदा का पालन करेंगे।

तालिका

क्र.स. अधिकारी का नाम व पता	सार्वजनिक स्थानों की श्रेणिया और अधिकार क्षेत्र की स्थानीय सीमाये
1	2
1 श्री आर जयराजन, वरिष्ठ निधि अधिकारी, कायकलम आधारित सयुक्त माईकल विद्युत परियोजना	केरल के पो ओ चतुपथर जिन्ना प्रजापत्ता 690506 स्थित नेशनल थर्मल पावर कार्पोरेशन लि की कायकलम सयुक्त माईकल विद्युत परियोजना के स्वामित्व वाली/इसके द्वारा पट्टे पर और किराये पर लिये गये सभी भवन, सम्पदा और अन्य आवास आदि
2 श्री शरद्विन्दू कुमार त्रिपाठी, प्रबंधक कार्मिक एवं प्रशासनिक रिहन्द सुपर ताप विद्युत परियोजना	सोनभद्र (उ.प्र.) जनपद के रिहन्द नगर में नेशनल थर्मल पावर कार्पोरेशन लि की रिहन्द सुपर ताप विद्युत परियोजना के स्वामित्व वाली/इसके द्वारा पट्टे पर और किराये पर लिये गये भवन सम्पदा अन्य आवास और सभी प्रकार की भूमि आदि।
3 श्री के. विवेका, प्रबंधक, कार्मिक एवं प्रशासनिक रामागण्डुम सुपर ताप विद्युत स्टेशन	ज्योति नगर जिन्ना रंगीम नगर (आन्ध्र प्रदेश) में रामागण्डुम सुपर थर्मल ताप विद्युत परियोजना के प्रशासनिक नियंत्रण के अन्तर्गत और नेशनल थर्मल पावर कार्पोरेशन लि द्वारा पट्टे पर लिए गए या सभी संबंधित परिमर।
4 श्री एस. मन वरिष्ठ कार्मिक अधिकारी प्रशासन तालचौर ताप विद्युत स्टेशन	तालचौर ताप विद्युत स्टेशन के प्रशासनिक नियंत्रण के अन्तर्गत और नेशनल थर्मल पावर कार्पोरेशन लि के स्वामित्व वाले/इसमें सहायित अथवा इसके द्वारा पट्टे पर लिए गए सभी परिमर।
5 श्री प्रशोक खरे, वरिष्ठ प्रबंधक (प्रशिक्षण) बदरपर ताप विद्युत स्टेशन	बदरपर ताप विद्युत स्टेशन तथा बदरपर ताप विद्युत परियोजना नई दिल्ली के स्वामित्व वाले/इसके द्वारा पट्टे पर और किराये पर लिये गये सभी भूमि भवन सम्पदा परिमर तथा अन्य आवास आदि और उनकी स्टाफ कालोनिया, गाँव केन्द्र, भारत औद्योगिक कार्य कालोनी एवं मोलर वैडोपेर कालोनी।

[फा.स. 8/6/92-धर्मल-1]

डॉ. के. वी. जैकन उप सचिव

MINISTRY OF POWER

New Delhi, the 16th November, 2000

S.O. 128.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officers mentioned in column (1) of the Table below being Officers of the National Thermal Power Corporation Limited, and equivalent to the rank of Gazetted Officer of the Government of India, to be Estate Officers for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officers by or under the said Act, within the local limits of their respective jurisdiction in respect of the categories of Public Premises specified in the corresponding entry in Column (2) of the said Table.

Table

S.No.	Name and designation officer	Categories of Public premises and local limits of jurisdiction
	1	2
1.	Shri R. Jayarajan, Sr. Law Officer, Kayankulam Combined Cycle Power Project	All land, quarters, estates properties and other accommodation owned/ leased and rented by Kayankulum Combined Cycle Power Project of National Thermal Power Corporation Ltd. located at Post Office Choolatheruvu-690 506, Alappuzha distt. Kerla.
2.	Shri Sharadindu Kumar Tripathi Manager, Personnel & Administration Rihand Super Thermal Power Project	All lands, quarters, estates properties and other accommodation owned/leased and rented by Rihand Super Thermal Power Project of National Thermal Power Corporation Ltd. at P.O. Rihand Nagar, Distt, Sonbhadra (U.P.)
3.	Shri K.Lingaiiah, Manager, Personnel & Administration, Ramagundam Super Thermal Power Station	All premises belong to, or taken on lease by National Thermal Power Corporation Ltd. and under the administrative control of its Ramagundam Super Thermal Power Project at Jyoti Nagar, District Karim Nagar, Andhra Pradesh.
4.	Shri S. Manu, Senior Pers. Officer, Admn Talcher Thermal Power Station	All premises owned/belonging to or taken on lease by National Thermal Power Corporation Ltd. and Under the administrative control of its Talcher Thermal Power Station.
5.	Shri Ashok Khar, Sr. Mgr. (Training) Badarpur Thermal Power Station	All lands, quarters, estate, properties and other accommodations owned/leased or rented by the Badarpur Thermal Power Station and Badarpur Thermal Power Project, New Delhi and their Staff Colonies and Shopping Centres Bharat Industrial Works Colony and Molar band Labour Colony.

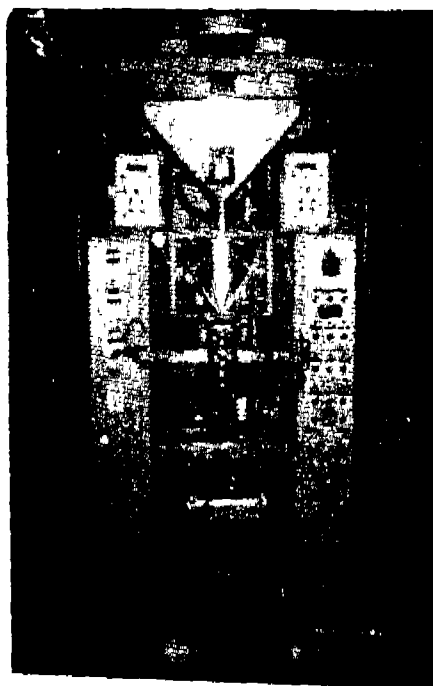
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 8 जनवरी, 2001

का. आ. 129.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स पूजा इंजीनियरिंग वर्क्स, युनिवर्सल फाउंड्रीज कम्पाउण्ड, गाला सं. 3, मोगरा-गांव रोड, अंधेरी (पूर्व) मुम्बई 400069 द्वारा विनिर्मित ‘‘पी ई डब्ल्यू-एफ एफ एम’’ श्रृंखला के म्ब्यालित (जिसे इसमें इसके पश्चात् माडल कहा गया है) तोलन मशीन (भराई मुद्रांकन मशीन प्रकार) के माडल का है और जिसे अनुमोदन चिह्न आई एन डी/09/2000/150 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल म्ब्यालित तोलन मशीन है। जिसकी अधिकतम उत्पादन दर 60 पाउंच प्रति मिनट है जो कि अनुमोदित परिणाम घनत्व और प्रवाह लक्षणों पर निर्भर होगी, जिसकी रेंज 2 ग्राम से 5000 ग्राम तक है। मूल मशीन के साथ बेधनी भरक, प्याला भरक और भार भरक लगाए जा सकते हैं। इसमें पाउंच की चौड़ाई या लम्बाई परिवर्तित कर सकने के उपबंध भी किए गए हैं।

[फा. सं. डब्ल्यू. एम.-21(35)/2000]

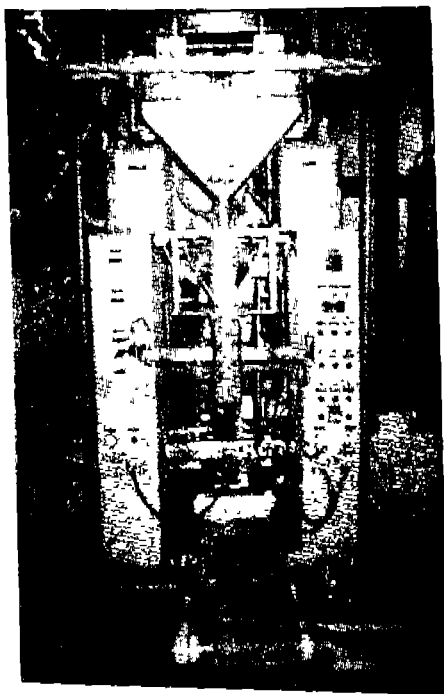
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 8th January, 2001

S. O. 129.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model in respect of Automatic weighing machine (form fill seal machine) of PEW-FFS series (herein referred to as model) manufactured by M/s. Pooja Engineering Works, Universal Foundries Compound, Gata No. 3, Mogra-Village Road, Andheri (E), Bombay-400069 and which is assigned the approval of Model mark IND/09/2000/150



The model is a Automatic weighing machine comprising of ranges from 2 g to 5000 g with a maximum output rate of 60 pouches per minute depending upon the bulk density and flow characteristics may be approved. On the basic machine, auger filler, cup filler and weigh filler can be fixed. It has also the provision to change the width or pack length of the pouch.

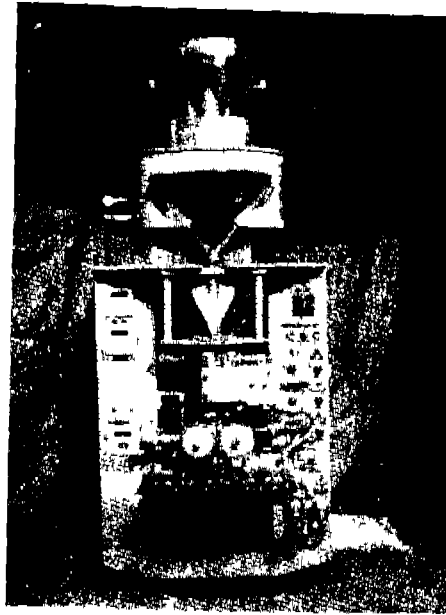
[F No. WM-21(35)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 8 जनवरी 2001

का. आ. 130.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा,

अतः अद्य केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा पदेन शक्तियों का प्रयोग करते हुए, मैमर्स प्रजा इंजीनियरिंग वर्क्स युनिवर्सल फाउंड्रीज कम्पाउण्ड, गाला सं 3, मोगरा-गांव रोड, अंधेरी (पूर्व) मुम्बई 400069 द्वारा विनिर्मित 'पी ई डब्ल्यू-सी पी' श्रृंखला के स्वचालित तोलन मशीन (प्याला भरक) के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी' 09 2000 151 दिया है अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल स्वचालित तोलन मशीन है। जिसकी अधिकतम उत्पादन दर 60 पाउन्ड प्रति मिनट है जो कि अनुमादित परिणाम घनत्व और प्रवाह लक्षणों पर निर्भर होगी, जिसकी रेंज 2 ग्राम से 5000 ग्राम तक है। यह मुक्त प्रवाह वाले उत्पाद जैसे चाय, मसाला, चीनी, चावल, नमक, भोजनका उपमा त्रक, रसायन और भोजन चूर्ण आदि की भराई के उपयोग के लिए है।

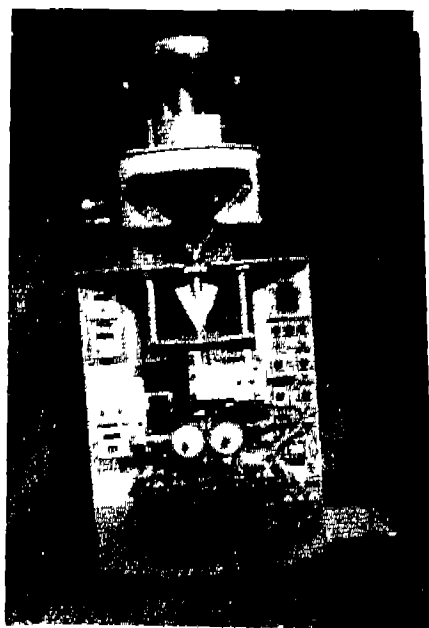
[फा स डब्ल्यू एम 21(35)/2000]

पी ए कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi the 8th January 2001

S. O. 130.—Whereas the Central Government after considering the report submitted to it by the prescribed authority, that the model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model in respect of Automatic weighing machine (Cup filler) of "PEW-CP" series (herein referred to as model) manufactured by M/s Pooja Engineering Works, Universal Foundries Compound, Gala No 3, Mogra-Village Road, Andheri (E), Bombay -400069 and which is assigned the approval of Model mark IND/09/2000/151



The model is a Automatic weighing machine (Cup filler) comprising of ranges from 2 g to 5000 g with a maximum output rate of 60 pouches per minute depending upon the bulk density and flow characteristics may be approved. It is used for filling Free flowing products such as tea, spices, sugar, rice, salt, granules, detergents, chemical and pharmaceuticals powder etc

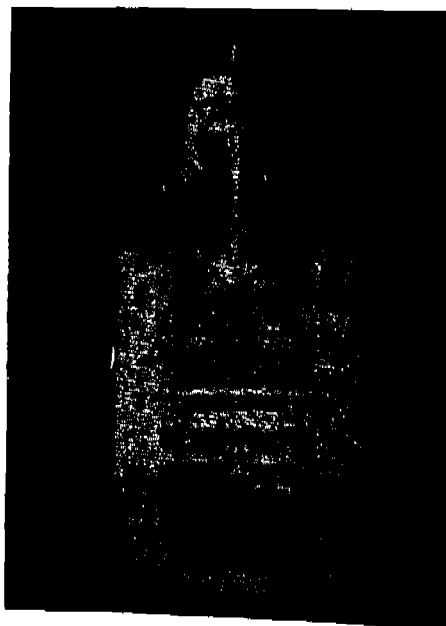
[F No WM-21(35)/2000]

P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 8 जनवरी, 2001

का. आ. 131 .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियाँ में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अत्र केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैमर्स पूजा इंजीनियरिंग वर्क्स, यूनिवर्सल फाउंड्रीज कम्पाउण्ड, गाला स. 3, मोगरा-गांव रोड, अंधेरी (पूर्व) मुम्बई-400069 द्वारा विनिर्मित 'पी ई डब्ल्यू-ए जी' श्रृंखला के स्वचालित मशीन (यधनी भरक) के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/152 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल स्वचालित तोलन मशीन है। जिसकी अधिकतम उत्पादन दर 60 पाउन्ड प्रति मिनट है जो कि अनुमोदित परिणाम घनत्व और प्रवाह लक्षणा पर निर्भर होगी, जिसकी रंज 5 ग्राम से 1000 ग्राम तक है। यह दुग्ध चूर्ण काफी चूर्ण पिसे मसाले दंत मंजन आटे, आदि की भराई के उपयोग के लिए है।

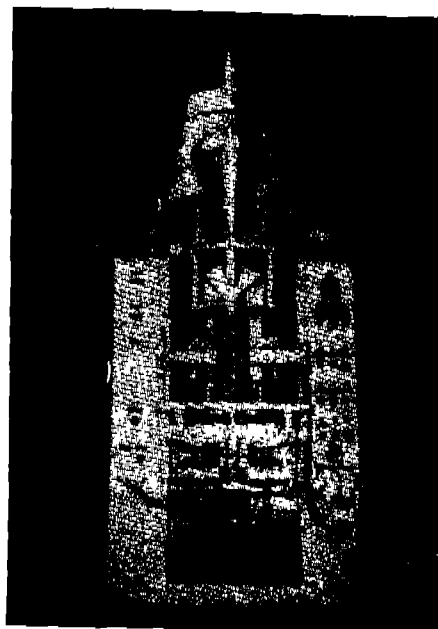
[फा स डब्ल्यू एम-21(35)/2000]

पी ए कृष्णमूर्ति निदेशक, विधिक माप विज्ञान

New Delhi, the 8th January, 2001

S. O. 131.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model in respect of automatic weighing machine (Auger filler) of "PEW-AG" series (herein referred to as model) manufactured by M/s Pooja Engineering Works, Universal Foundries Compound, Gala No. 3, Mogra-Village Road, Andheri (E), Bombay-400069 and which is assigned the approval of Model mark IND/09/2000/152;



The model is a Automatic weighing machine (Auger filler type) comprising of ranges from 5 g to 1000 g, with a maximum output rate of 60 pouches per minute depending upon the bulk density and flow characteristics may be approved. It is used for filling milk powder, coffee powder, ground spices, tooth powder, flour etc

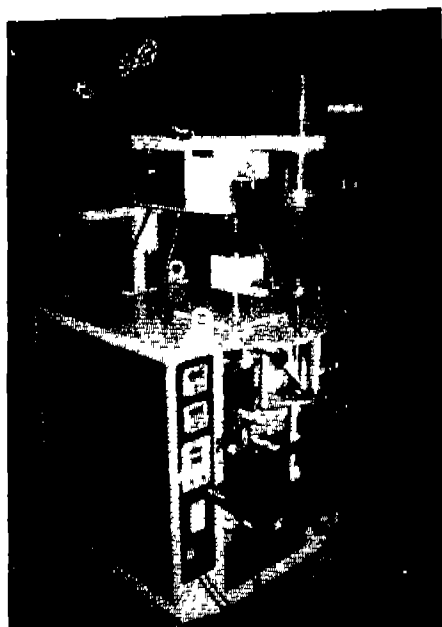
[F No W M -21(35)/2000]

P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 8 जनवरी, 2001

का. आ. 132 .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स पूजा इंजीनियरिंग वर्क्स, यूनिवर्सल फाउंड्रीज, कम्पाउण्ड, गाला सं. 3, मोगरा गांव रोड, अंधेरी (पूर्व) मुम्बई-400069 द्वारा विनिर्मित "पी ई डब्ल्यू-सी पी" शृंखला के स्वचालित तोलन मशीन के माडल का, (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/153 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल स्वचालित तोलन मशीन है। जिसकी अधिकतम उत्पादन दर 60 पाउन्ड प्रति मिनट है जो कि अनुमोदित परिणाम घनत्व और प्रवाह वक्षणा पर निर्भर होगी, जिसकी रेंज 5 ग्राम से 5000 ग्राम तक है। यह दलहन, आलू के चिप्स कन्फेशनरी आदि की भाराई के लिए उपयोगी है।

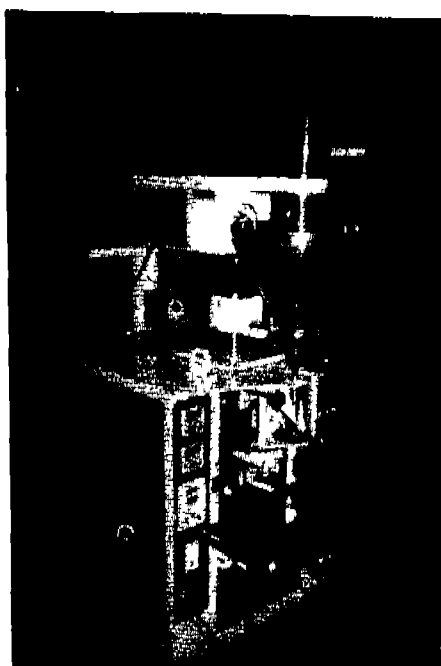
[फा सं डब्ल्यू एम -21(35)/2000]

पी ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi the 8th January 2001

S. O. 132.—Whereas the Central Government after considering the report submitted to it by the prescribed authority that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions

Now therefore in exercise of the powers conferred by sub-section (7) of section 36 of the said Act the Central Government hereby publishes the certificate of approval of the model in respect of Automatic weighing machine "PEW-CP" series (herein referred to as model) manufactured by M/s Pooja Engineering Works Universal Foundries Compound Gala No 3 Mogra-Village Road Andheri (E) Bombay-400069 and which is assigned the approval of Model mark IND/09/2000/153



The model is a automatic weighing machine comprising of ranges from 5 g to 5000 g with a maximum output rate of 60 pouches per minute depending upon the bulk density and flow characteristics may be approved. It is used for filling pulses potato chips confectionery etc

[F. No. W.M. 21(35)/2000]

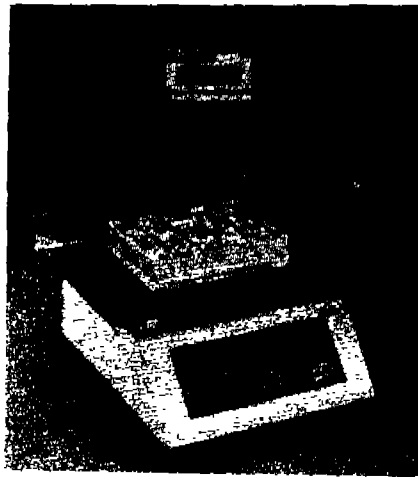
P. A. KRISHNAMOORTHY Director, Legal Metrology

नई दिल्ली, 15 जनवरी, 2001

का. आ. 133 .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैमर्स हाइटैक माइक्रो मेजरमेन्ट्स (प्राइवेट) लिमिटेड, 14 सी, लारेंस रोड इंडस्ट्रियल एरिया, नई दिल्ली-110035 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "एच एम एम 100 टी टी" श्रृंखला के स्वतः सूचक, अस्खालित, अंकक सूचन सहित तोलन उपकरण (टेबलटॉप प्रकार) के माडल का, जिसके ब्रांड का नाम "एच एम एम हाइटैक" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/15 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त माडल (आकृति देखें) मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का एक तोलन उपकरण है जिसकी अधिकतम क्षमता 25 किलो ग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान (ई) मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही आयताकार है, जिसकी भुजाएं 295×260 मि. मी. है। द्रव क्रिस्टल डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान के अन्तराल (एन) की अधिकतम संख्या 10000 से कम या उसके बराबर है (एन ≤ 10000) तथा जिसका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम. 21(25)/97]

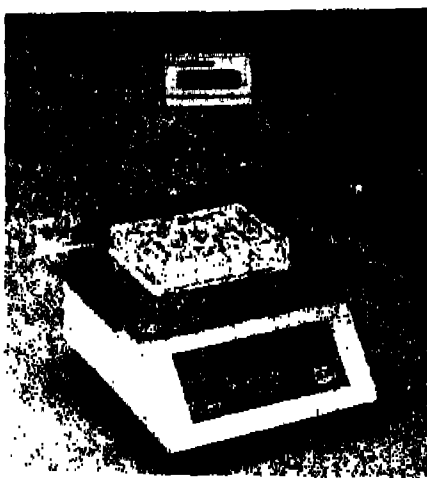
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th January, 2001

S. O. 133.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, (table top type) weighing instrument with digital indication of "HMM-100 TT" series of medium accuracy (Accuracy class III) and with brand name "HMM-HYTECH" (hereinafter referred to as the model) manufactured by M/s. Hytech Micro Measurements (Private) Limited, 14-C, Lawrence Road Industrial Area New Delhi-110035 and which is assigned the approval mark IND/09/2000/15.

The said model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 25kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section side 295 × 260 millimetre. The Liquid crystal display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply.



And further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same series with maximum capacity up to 50 kg with number of verification scale interval (n) less than or equal to 10,000 ($n \leq 10,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the approved model have been manufactured

[F No. WM.-21(25)/97]

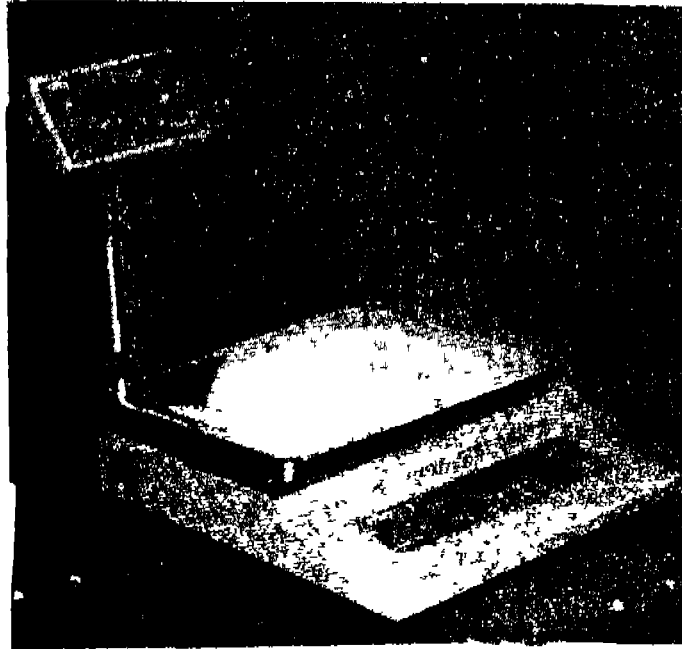
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 15 जनवरी, 2001

का. आ.134 .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलो का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा,

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैमर्स पेंटा वे टेक्नोलॉजिस् प्राइवेट लिमिटेड, प्रथम तल, ममता बिल्डिंग, तुलसी थियेटर के सामने, मराथली, बंगलौर-560037 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ए एस टी टी" श्रृंखला के अंकीय सूचन सहित स्वतः सूचक, अस्वच्छालित, तोलन उपकरण (मेजतल प्रकार) के माडल का, जिसके ब्रांड का नाम "एस्थारा" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन बिह्न आई एन डी/09/2000/173 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) अधिकतम क्षमता 30 किलो ग्राम और न्यूनतम क्षमता 100 ग्राम का तोलन उपकरण है। स्थापन मापमान (ई) मान 5 ग्रा है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही वर्गाकार है, जिसकी भुजाएँ 320 × 320 मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आर केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिसमें अनुमोदित माडल का विनिर्माण किया गया है और जिनके स्थापन मापमान के अन्तराल (एन) की अधिकतम सख्या 10000 से कम या उसके बराबर है (एन ≤ 10000) तथा जिसका "ई" मान 1×10^{-1} , 2×10^{-1} और 5×10^{-1} है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा स डब्ल्यू एम 21(112)/2000]

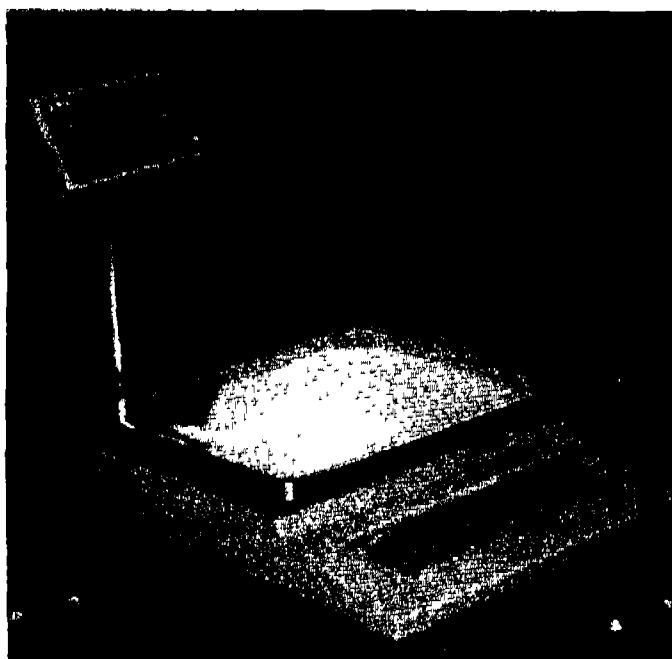
पी ए कृष्णमूर्ति निदेशक, विधिक माप विज्ञान

New Delhi, the 15th January, 2001

S. O. 134.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, (table top type) weighing instrument with digital indication of "ASTT" series of medium accuracy (Accuracy class III) and with brand name "Asthara" (herein after referred to as the model) manufactured by M/s. Pentaweigh Technologies Private Limited, 1st Floor Mamta Building, Opp: Tulasi Theatre, Marathalli, Bangalore-560 037 and which is assigned the approval mark IND/09/2000/173;

The said model (figure given) is a weighing instrument with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of square section of side 320X320 millimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument similar accuracy and performance of same series with maximum capacity up to 50 kg with number of verification scale interval (n) less than or equal to 10000 ($n \leq 10,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model have been manufactured.

[F. No. W M.-21(112)/2000]

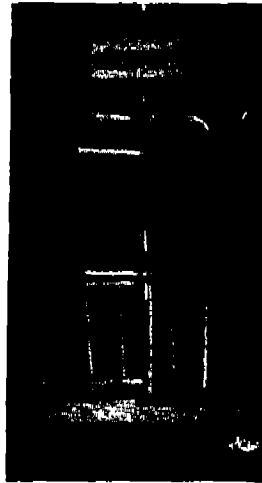
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 15 जनवरी, 2001

का. आ. 135.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स पेंटा वे टेक्नोलोजिस प्राइवेट लिमिटेड, प्रथम तल, ममता बिल्डिंग, तुलसी थियेटर के सामने, मराथली, बंगलौर-560037 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ए एस पी पी टी" शृंखला के अंकीय सूचन सहित स्वतः सूचक, अस्वच्छालित, तोलन उपकरण (प्लेटफार्म) के माडल का, जिसके ब्रांड का नाम "एस्थारा" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/174 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) तत्संबंधी क्षमता 60/120 किलो ग्राम और न्यूनतम क्षमता 400 ग्राम दोहरी रेंज का तोलन उपकरण है। स्थापन मापमान (ई) मान 10/20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही आयताकार है, जिसकी भुजाएं 500 × 620 मि. मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके स्थापन मापमान के अन्तराल (एन) की अधिकतम संख्या 10000 से कम या उसके बराबर है (एन ≤ 10000) तथा जिसका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं डब्ल्यू. एम. 21(112)/2000]

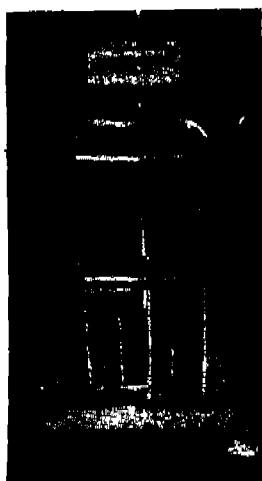
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th January, 2001

S. O. 135.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, (Platform) weighing instrument (dual range) with digital indication of "ASPPT" series of Medium accuracy (Accuracy class III) and with brand name "Asthra" (hereinafter referred to as the model) manufactured by M/s. Pentaweigh Technologies (Private) Limited, 1st Floor, Mamta Building, Opp. Tulasi Theatre, Marathalli, Bangalore-560 037 and which is assigned the approval mark IND/09/2000/174.

The said model (figure given) is a weighing instrument (dual range) with a maximum capacity is corresponding to capacities 60kg/120kg and minimum capacity of 400g. The verification scale interval (e) is 10g/20g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section side 500×620 millimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply:



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make accuracy and performance of same series with maximum capacity up to 5 tonne with number of verification scale interval (n) less than or equal to 10,000 ($n \leq 10,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principal, design and with the same materials with which, the approved model have been manufactured.

[F. No. W.M.-21(112)/2000]

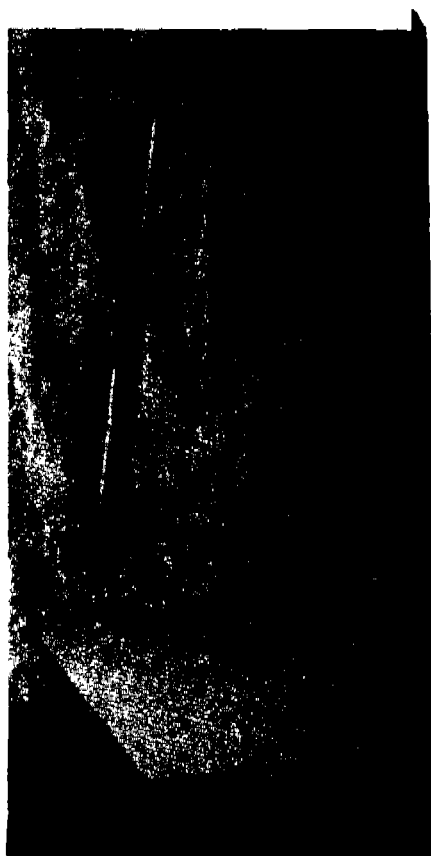
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 16 जनवरी, 2001

का. आ. 136 .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इंटरफेस सिस्टम्स इंक, सी-29 साध नगर, गली नं. 9, पालम कालोनी, नई दिल्ली-110040 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "आई एफ पी एफ" शृंखला के अंकीय सूचन सहित स्वतः सूचक, अस्वच्छालित, तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके ब्रांड का नाम "इंटरफेस" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन बिह्न आई एन डी/09/2000/179 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति दी गई है) अधिकतम क्षमता 100 कि. ग्रा. और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान अन्तराल (ई) मान 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत प्चकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिसमें अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान के अन्तराल (एन) की संख्या 10000 से कम या उसके बराबर है (एन ≤ 10000) तथा जिसका "ई" मान 1×10^4 , 2×10^4 और 5×10^4 हैं, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम. 21(101)/98]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2001

S. O. 136.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, (Platform type) weighing instrument with digital indication of "IFPF" series of medium accuracy (Accuracy class III) and with brand name "Interface" (hereinafter referred to as the model) manufactured by M/s. Interface Systems Inc, C-29, Sadh nagar, Street No. 9, Palam Colony, New Delhi-1100 45 and which is assigned the approval mark IND/09/2000/179;

The said model (figure given) is weighing instrument with a maximum capacity of 100kg and minimum capacity of 200g. The verification scale interval (e) is 10g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



And further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of same accuracy and performance of same series with maximum capacity up to 5 tonne with number of verification scale interval (n) less than or equal to 10 000 ($n \leq 10,000$) and with 'e' value $1 \times 10^k, 2 \times 10^k, 5 \times 10^k$, k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principal, design and with the same materials with which, the approved model have been manufactured.

[F No. W.M.-21(101)/98]

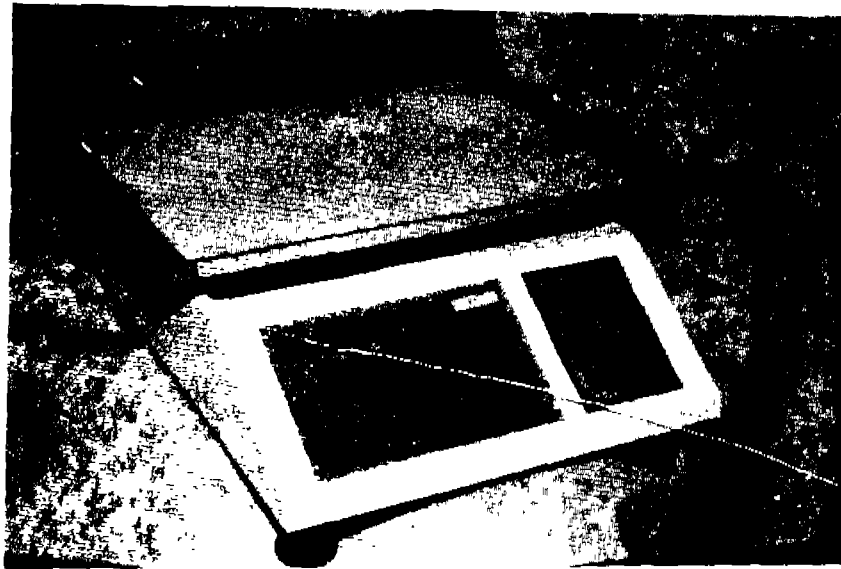
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 16 जनवरी, 2001

का. आ. 137.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इंटरफेस सिस्टम्स इंक, सी-29 साध नगर, गली नं. 9, पालम कालोनी, नई दिल्ली-110045 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग II) वाले "आई एफ टी टी" शृंखला के अंकीय सूचन सहित, स्वतः सूक्ष्म, अस्वचालित, तोलन उपकरण (टेबलटाप प्रकार) के माडल का, जिसके ब्रांड का नाम "इंटरफेस" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/180 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति दी गई है) अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान के अन्तराल (एन) की संख्या 100,000 से कम या उसके बराबर है (एन \leq 100,000) तथा जिसका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[पत्र. सं. डब्ल्यू. एम. 21(101)/98]

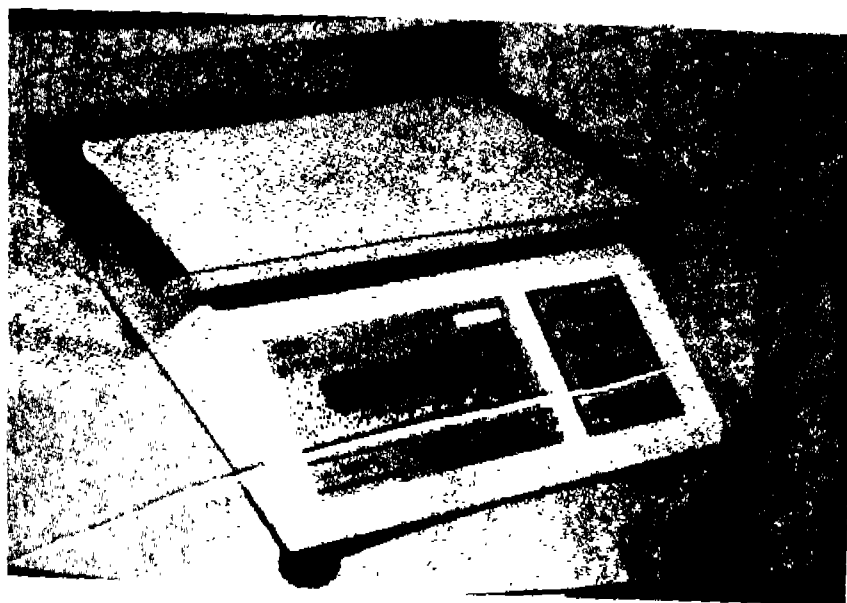
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th December, 2001

S. O. 137.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, (Table top type) weighing instrument with digital indication of "IFTT" series of High accuracy (Accuracy class II) and with brand name "Interface" (hereinafter referred to as the model) manufactured by M/s. Interface Systems Inc. C-29, Sadh Nagar, Street No. 9, Palam Colony, New Delhi-110 045 and which is assigned the approval mark IND/09/2000/180;

The said model (figure given) is a weighing instrument with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply.



And further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same accuracy and performance of same series with maximum capacity up to 50kg with number of verification scale interval (n) less than or equal to 100,000 ($n \leq 100,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No. W M.-21(101)/98]

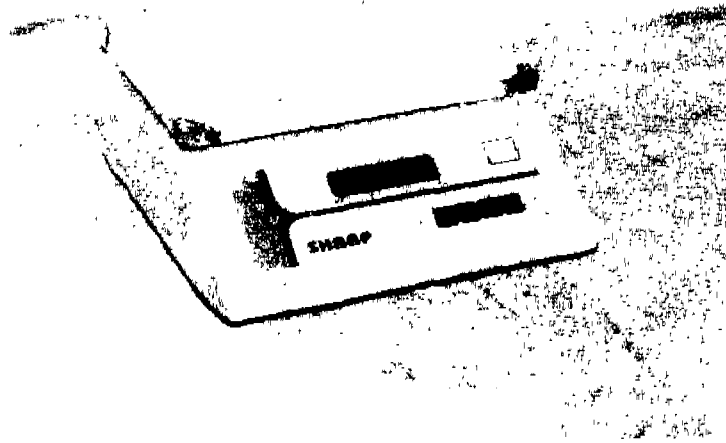
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 17 जनवरी, 2001

का. आ. 138.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स शाप इलेक्ट्रॉनिक्स प्राइवेट लिमिटेड, क्र. सं. 181, घेरगांव, वाकोड रोड, पुणे-110433 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "डी आई बी" श्रृंखला के अस्पष्टालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) के माडल का, जिसके ब्रांड का नाम "शाप" है (जिसे इसमें इसके पश्चात् "माडल" कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/103 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) 11 कि. ग्रा. की अधिकतम क्षमता और 20 ग्राम की न्यूनतम क्षमता का तोलन उपकरण है। सत्यापन मापमान अन्तराल (ई) मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका श्व प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही आयताकार सेक्शन वाला है जिसकी भुजाएं 260×290 मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक होगी और जिनका विनिर्माण उमी विनिर्माता द्वारा उमी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान के अन्तराल (एन) की संख्या 100,000 से कम या उसके बराबर है (एन \leq 100,000) तथा जिसका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} हैं, जहां के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[पत्र. सं. डब्ल्यू. एम. 21(15)/2000]

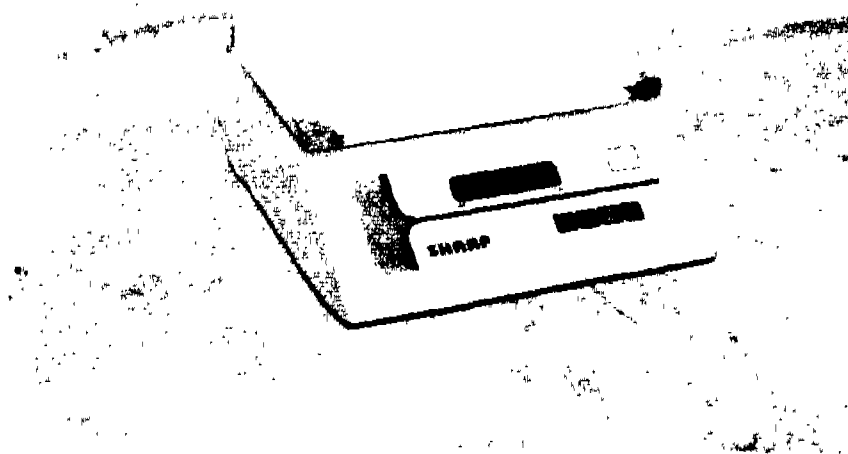
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th January, 2001

S. O. 138.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the non-automatic, (table top type) weighing instrument with digital indication of "DIB" series of High accuracy (Accuracy class II) and with brand name "SHARP" (hereinafter referred to as the model) manufactured by M/s. Sharp Electronics, Sr. No. 18/1, Thergaon, Wakod Road, Pune-411033 and which is assigned the approval mark IND/09/2000/103:

The said model (see figure) is a weighing instrument with a maximum capacity of 11kg and minimum capacity of 20g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section side 260×290 millimetre. The light emitting diode indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply:



And further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same series with maximum capacity up to 50kg with number of verification scale interval (n) less than or equal to 1,00,000 ($n \leq 1,00,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No W.M.-21(15)/2000]

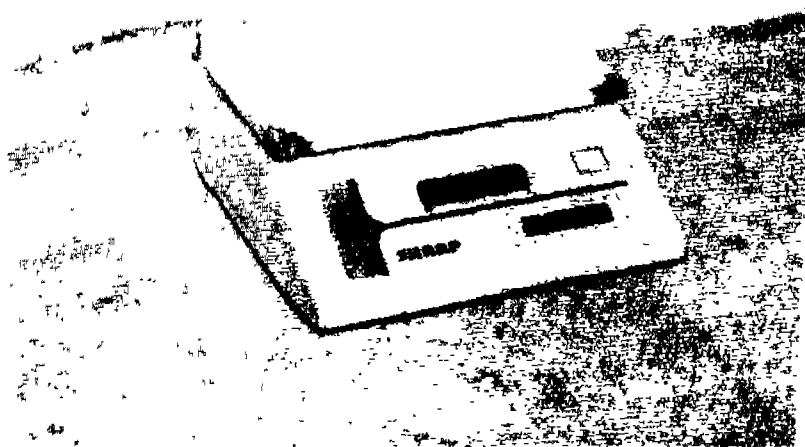
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 17 जनवरी, 2001

का. आ. 139.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स शार्प इलैक्ट्रॉनिक्स प्राइवेट लिमिटेड, सं. 181, थेरगांव वाकोड रोड पुणे-411033 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "आर के एस" श्रृंखला के अस्वाचारित अंककसूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के माडल का, जिसके ब्रांड का नाम "शार्प" है (जिसे इसमें इसके पश्चात् "माडल" कहा गया है) और जिसे अनुमोदन विह्न आई एन डी/09/2000/104 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) 20 कि. ग्रा. की अधिकतम क्षमता और 40 ग्राम की न्यूनतम क्षमता का तोलन उपकरण है। और यह मध्यम यथार्थता वर्ग (यथार्थता वर्ग II) का है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलात्मक धारित आधेयतुलन प्रभाव है। भार ग्राही आयताकार सेक्शन वाला है जिसकी भुजाएं 260×290 मि.मी. हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक होगी और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उम्मी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10,000 से कम या उसके बराबर है (एन \leq 10,000) तथा जिसका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है, जहां के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम. 21(15)/2000]

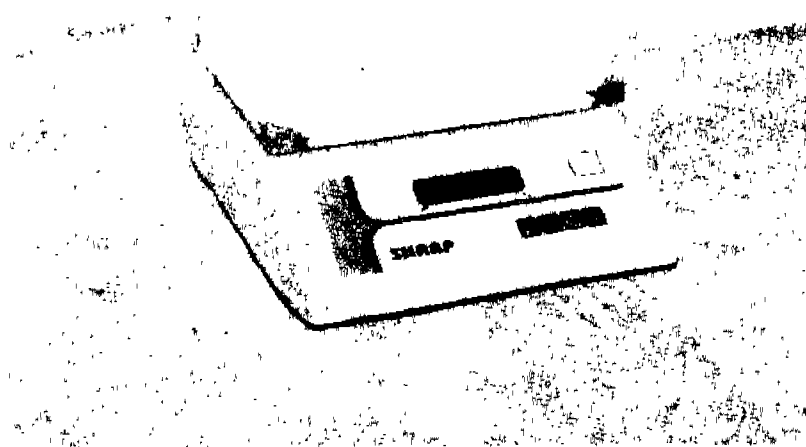
ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th January, 2001

S. O. 139.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the non-automatic, (table top type) weighing instrument with digital indication of "RKS" series of medium accuracy (Accuracy class III) and with brand name "SHARP" (hereinafter referred to as the model) manufactured by M/s. Sharp Electronics, Sr. No. 18/1, Thergaon Wakod Road, Pune-411033 and which is assigned the approval mark IND/09/2000/104;

The said model (see figure) is a medium accuracy (accuracy class II) weighing instrument with a maximum capacity of 20 kg. and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section side 260×290 millimetre. The light emitting diod display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply:



And further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same series with maximum capacity up to 50kg with number of verification scale interval (n) less than or equal to 10,000 ($n \leq 10,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F No W.M.-21(15)/2000]

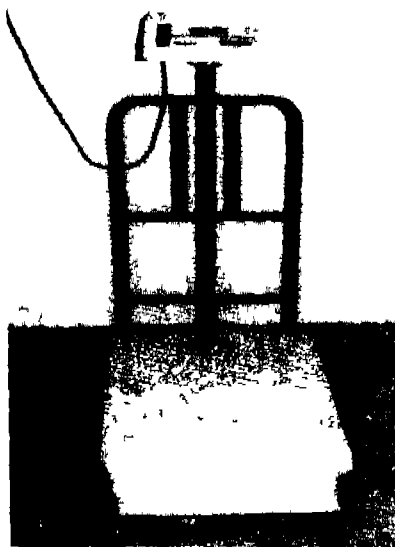
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 17 जनवरी, 2001

का. आ. 140. —केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलो का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदाय करता रहेगा,

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स शार्प इलेक्ट्रानिक्स प्राइवेट लिमिटेड, स 181, थेरगाव चाकोड रोड, पुणे-411033 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "के जी एस" श्रृंखला के स्वतः सूचक, अस्वचालित, इलेक्ट्रानिक, अककसूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके ब्रांड का नाम "शार्प" है (जिसे इसमें इसके पश्चात् "माडल" कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/105 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) 50 कि. ग्रा की अधिकतम क्षमता और 100 ग्राम की न्यूनतम क्षमता के अकक सूचन सहित का तोलन उपकरण है। स्थापन मापमान अन्तराल (ई) का मान 5 ग्रा है। इसमें एक आधेयुतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयुतुलन प्रभाव है। भार ग्राही आयताकार सेक्शन वाला है जिसकी भुजाएँ 300×400 मि मी हैं। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन तक होगी और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी मिद्दन्त डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके स्थापन मापमान अन्तराल (एन) की सख्या 10 000 से कम या उसके बराबर है (एन $\leq 10,000$) तथा जिसका "ई" मान $1 \times 10^{-2} \times 10^{-4}$ और 5×10^{-4} है, जहां क धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा स डब्ल्यू एम 21(15)/2000]

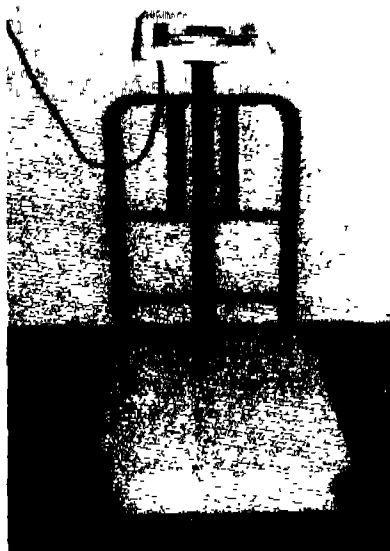
पी ग कृष्णमूर्ति, निदेशक विधिक माप विज्ञान

New Delhi, the 17th January, 2001

S. O. 140.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the non-automatic, (Platform type) weighing instrument with digital indication of "KGS" series of medium accuracy (Accuracy class III) and with brand name "SHARP" (hereinafter referred to as the model) manufactured by M/s Sharp Electronics, Sr No 18/1, Thergaon Wakod Road, Pune-411033 and which is assigned the approval mark IND/09/2000/105:

The said model (see figure) is a weighing instrument with a maximum capacity of 50 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section side 300×400 millimetre. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



And further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of same series with maximum capacity up to 5 tonne with number of verification scale interval (n) less than or equal to 10,000 ($n \leq 10,000$) and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No. W.M.-21(15)/2000]

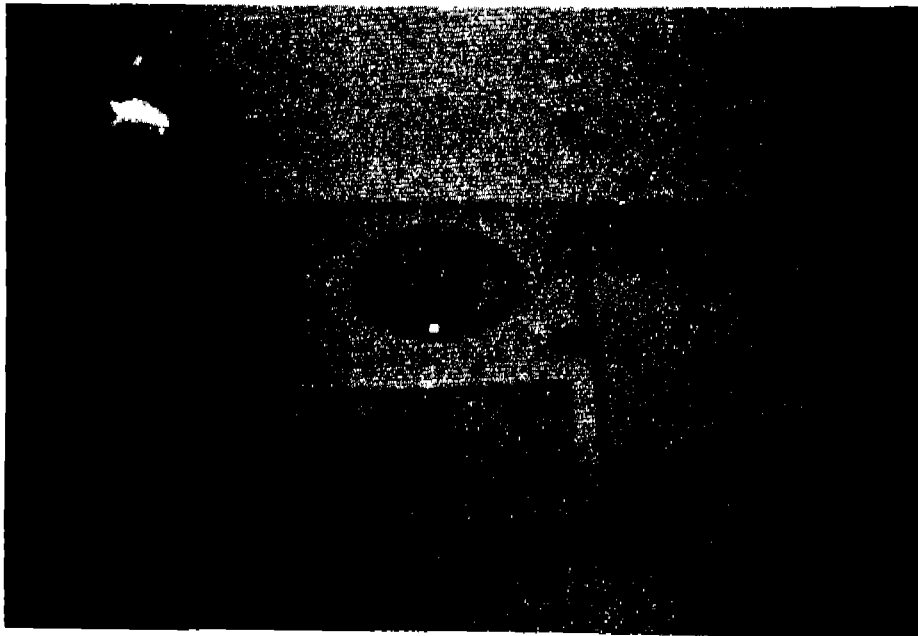
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 17 जनवरी, 2001

का. आ. 141.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ओरियन आटोमेशन मिस्टम्स, 96, 11वां मेन, बी आई एम फर्स्ट स्टेज, बंगलौर-560029 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग II) वाले "ओ पी बी" श्रृंखला के अंककसूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के माडल का (जिसे इसमें इसके पश्चात् "माडल" कहा गया है) और जिसे अनुमोदन बिह्न आई एन डी/13/2000/16 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) एक अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 200 ग्राम और न्यूनतम क्षमता 200 मि.ग्रा. है और सत्यापन मापमान अन्तराल (ई) का मान 10 मि. ग्रा. है। इसमें एक प्रदर्श यूनिट प्रकाश उत्सर्जक डायोड प्रकार की है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान के अन्तराल (एन) की संख्या 1,00,000 तक (एन \leq 1,00,000) तथा जिसका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू.एम. 21(134)/99]

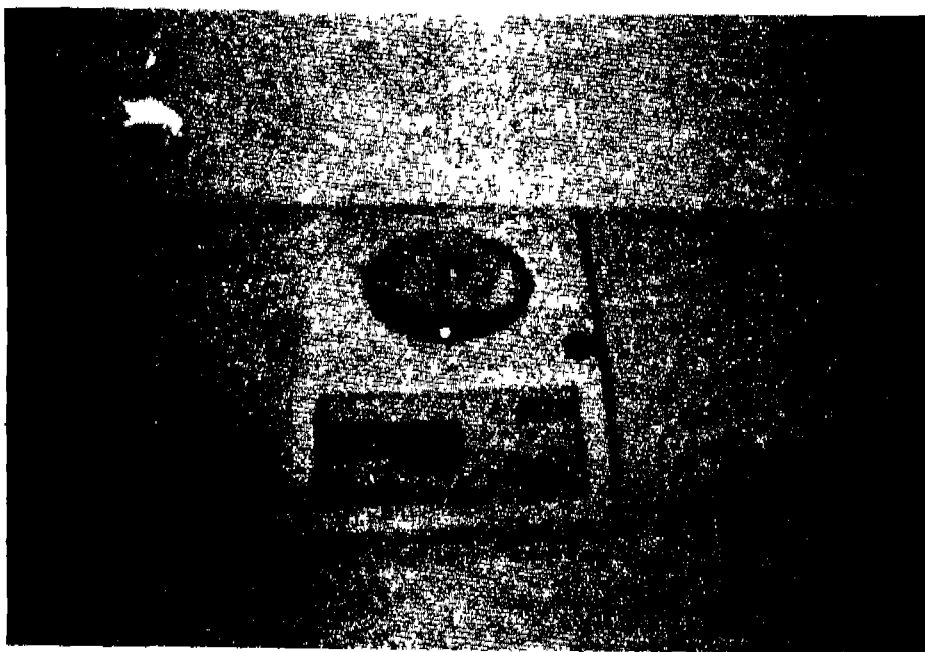
पी.ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th January, 2001

S. O. 141.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the non-automatic weighing instrument with digital display (table top type) of "OPB" series and belonging to high accuracy class (Accuracy class II) (hereinafter referred to as the model) manufactured by M/s Orion Automation Systems, 96, 11th Main, BIM 1st stage, Bangalore-560 029 and which is assigned the approval mark IND/13/2000/16

The model (see figure) is a non-automatic weighing instrument. Its maximum capacity is 200 g, minimum capacity is 200mg and value of verification scale interval (e) is 10mg. The display units of light emitting diode type. The instrument operates on 230 volts and 50-Hertz alternate current power supply.



And further in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of the same series with maximum capacity up to 50kg and with number of verification scale interval (n) upto 1 00 000 (n = 1 00 000) and with 'e' value of 1×10^k , 2×10^k , and 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model has been manufactured.

[F No W M -21(134)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 22 जनवरी, 2001

का. आ. 142.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्यांक का.आ. 297, तारीख 24 जनवरी, 2000, पश्चिमी बंगाल राज्य में हल्दिया से बिहार राज्य में बरौनी तक इंडियन ऑयल कारपोरेशन लिमिटेड द्वारा कच्चे तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 15 फरवरी, 2000 को उपलब्ध करा दी गई थीं;

और उक्त अधिनियम की धारा 6 उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि उक्त भूमि पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइनों को बिछाए जाने हेतु अपेक्षित है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना की अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार पाइपलाइने बिछाए जाने के लिए अर्जित किया जाता है ;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी वित्तीयों से रहित, इस प्रकाशन की घोषणा की तारीख से इंडियन ऑयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची					
पुलिस थाना - तमलूक	जिला - मिदनापुर		राज्य - पश्चिमी बंगाल		
गाँव	अधिकारिता	प्लॉट संख्या	क्षेत्र		
	सूची संख्या		हेक्टेयर	आरे	सेंटीआरे
1	2	3	4	5	6
चक्रगुदास	115	109	0	2	41
		454	0	0	20
		456	0	9	24
		457	0	9	56
		458	0	6	03
		459	0	2	60
		461	0	5	10
		462	0	0	42
		543	0	0	20
		545	0	0	47
		546	0	4	64
		547	0	02	50
		548	0	1	21
		549	0	4	46
		550	0	2	32
		613	0	5	12
		623	0	0	20
		624	0	2	55
		625	0	2	46
		626	0	5	57
		627	0	0	23
		628	0	9	28
		630	0	6	68
		636	0	2	04
		637	0	0	20
		638	0	4	46
		642	0	0	74
		643	0	10	30
		644	0	5	57
		646	0	1	30
		802	0	0	20
		805	0	3	34
		806	0	11	00
		807	0	4	27
		808	0	2	27
		809	0	4	78
		810	0	6	87
		811	0	4	73
		828	0	4	59
		829	0	6	13
		831	0	5	57
		832	0	7	43
		833	0	3	57
		861	0	1	71
		109/899	0	0	42
		460/922	0	0	65

1	2	3	4	5	6
		461/890	0	1	67
		462/924	0	2	60
		543/926	0	2	88
		543/927	0	8	33
		886/834	0	0	20
आसूदापाइकनार	117	19	0	0	20
		20	0	3	71
		21	0	0	23
		22	0	4	87
		23	0	0	56
		24	0	8	31
		25	0	0	47
		30	0	0	20
		50	0	0	83
		52	0	0	42
		53	0	8	77
		54	0	3	38
		410	0	2	14
		411	0	4	36
		412	0	9	83
		413	0	0	23
		414	0	14	48
		495	0	0	72
		505	0	2	78
		552	0	1	16
		553	0	5	01
		558	0	0	23
		559	0	4	87
		560	0	4	08
		561	0	0	28
		562	0	3	71
		563	0	0	83
		564	0	0	28
		567	0	3	71
		568	0	1	86
		569	0	4	36
		570	0	4	13
		571	0	0	89
		584	0	0	28
		585	0	5	06
		586	0	2	09
		587	0	3	90
		588	0	0	80
		589	0	2	00
		590	0	2	78
		591	0	2	51
		593	0	2	55
		596	0	2	23
		597	0	4	36
		598	0	0	88
		599	0	1	67

1	2	3	4	5	6
		651	0	4	18
		652	0	6	87
		653	0	0	78
		667	0	2	14
		668	0	2	32
		669	0	2	92
		670	0	0	28
		673	0	8	07
		674	0	14	11
		712	0	2	95
		713	0	2	51
		714	0	7	20
		715	0	1	11
सालिकागर घक	116	1247	0	7	38
		1248	0	8	26
		1251	0	1	20
		1252	0	0	47
		1253	0	0	56
		1259	0	0	20
		1260	0	0	74
		1261	0	3	76
		1262	0	4	64
		1263	0	3	90
		1264	0	1	67
		1265	0	0	88
		1266	0	0	37
		1269	0	5	22
		1292	0	0	20
		1293	0	0	56
		1380	0	0	32
		1382	0	3	34
		1383	0	4	97
		1385	0	2	69
		1386	0	0	20
		1392	0	7	05
		1393	0	3	34
		1397	0	3	62
		1398	0	0	20
		1399	0	17	45
		1400	0	6	01
		1401	0	5	52
		1407	0	0	65
		1479	0	1	81
		1480	0	7	71
		1484	0	12	34
		1486	0	1	16
		1487	0	2	27
		1488	0	10	58
		1496	0	6	68

1	2	3	4	5	6
गुरुपौता निजोटे	121	173	0	0	60
सालिकाछानी चक	122	418	0	0	20
		443	0	2	04
		444	0	1	11
		445	0	0	23
		446	0	7	89
		481	0	2	78
		482	0	6	45
		497	0	7	98
		501	0	3	71
		502	0	0	51
		503	0	7	05
		505	0	6	68
		513	0	3	34
		516	0	2	23
		517	0	2	69
		518	0	2	78
		519	0	8	35
		536	0	9	75
		609	0	5	00
		610	0	0	20
		611	0	7	82
		628	0	2	78
		992	0	0	93
		1024	0	2	41
		1025	0	16	75
		1064	0	0	88
		1065	0	1	02
		1066	0	0	20
		1067	0	8	31
		1068	0	6	13
		1069	0	4	64
		1070	0	7	89
		1071	0	1	85
		1072	0	0	20
		1092	0	7	33
		1093	0	0	20
		1095	0	6	54
		1096	0	0	28
		1099	0	6	96
		1100	0	14	39
		1109	0	2	78
		1219	0	1	76
		1222	0	3	25
		1223	0	0	20
		1226	0	3	34
		1231	0	8	35
		1247	0	1	86
		1344	0	0	37
		1384	0	1	49

1	2	3	4	5	6
लईछनपूर	123	351	0	10	68
		352	0	5	20
		356	0	3	25
		358	0	11	42
		361	0	1	49
		362	0	0	23
		411	0	0	20
		412	0	15	22
		413	0	4	08
		414	0	4	59
		415	0	5	20
		416	0	2	41
		417	0	0	51
		418	0	0	20
		988	0	0	93
		989	0	2	60
		993	0	5	20
		1096	0	7	98
बरबरया पाइकबा	124	354	0	1	03
		360	0	0	20
		361	0	1	03
		362	0	10	19
		364	0	4	49
		365	0	4	49
		367	0	3	74
		371	0	4	86
		373	0	0	75
		374	0	6	91
		375	0	2	99
		381	0	4	49
		382	0	3	18
		383	0	1	87
		384	0	6	36
		387	0	0	23
राजनगर बाहारजाला	161	127	0	4	46
		473	0	3	99
		474	0	9	75
		575	0	1	02
		576	0	3	71
पूटपूटे	162	1	0	1	08
		810	0	1	49
		813	0	9	05
		814	0	5	94
		815	0	1	02
		817	0	9	42
		818	0	0	83
		819	0	0	20
		822	0	3	29
		823	0	1	86

1	2	3	4	5	6
		824	0	2	37
		827	0	0	20
		828	0	4	46
		829	0	0	20
		833	0	7	81
		841	0	12	51
		870	0	0	54
		874	0	11	23
		875	0	2	46
		876	0	1	53
		880	0	7	24
		881	0	3	39
		882	0	3	85
		883	0	3	34
		884	0	0	20
		950	0	13	27
		951	0	2	41
		952	0	5	38
		986	0	1	07
		1024	0	5	20
		1025	0	3	44
		1026	0	3	71
		1027	0	2	65
		1028	0	3	57
		1029	0	13	23
		1030	0	1	00
		1055	0	3	02
		1073	0	0	21
		1074	0	0	20
		1079	0	0	48
		1474	0	2	88
		1475	0	2	76
		1476	0	2	27
		1477	0	0	20
		1478	0	6	50
		1480	0	0	23
		1484	0	3	71
		1507	0	4	57
		1525	0	3	29
		1526	0	1	21
		1530	0	0	70
		1533	0	7	75
		1543	0	4	92
		1544	0	8	82
		1550	0	0	20
		1551	0	1	17
		1552	0	7	10
		1553	0	4	51
		1554	0	5	85
		1603	0	1	81
		1610	0	0	56
		1611	0	3	95

1	2	3	4	5	6
		1613	0	6	08
		1614	0	10	30
		1619	0	4	62
		1620	0	2	95
		1625	0	2	51
		1628	0	0	98
		1905	0	0	76
		1909	0	5	49
		1917	0	0	20
		1922	0	0	37
		1926	0	2	84
		2077	0	5	48
		1551/2103	0	3	90
		1611/2105	0	3	09
		1613/2168	0	0	20
		829/2074	0	2	23
पूटपूस्ता	163	1350	0	3	02
		1351	0	1	72
		1386	0	2	05
		1458	0	0	20
		1459	0	0	20
		1464	0	18	64
		1475	0	3	45
		1476	0	9	75
		1477	0	3	29
		1492	0	0	20
		1493	0	0	20
		1507	0	1	95
		1531	0	5	68
		1532	0	5	08
		1533	0	1	08
		1536	0	2	36
		1537	0	0	53
		1538	0	8	35
		1539	0	6	13
		1540	0	7	93
		1541	0	0	20
		1551	0	3	45
		1578	0	1	67
		1579	0	5	01
		1580	0	11	37
		1587	0	4	57
		1589	0	0	24
		1590	0	3	27
		1591	0	2	42
		1592	0	2	05
		1596	0	8	35
		1597	0	1	11
		1603	0	0	73
		1604	0	2	03
		1606	0	7	10

1	2	3	4	5	6
		1607	0	2	83
		1608	0	6	32
		1609	0	2	84
		1613	0	4	05
		1614	0	4	50
		1615	0	0	98
		1622	0	6	29
		1636	0	3	29
		1637	0	2	17
		1638	0	1	86
		1639	0	1	76
		1640	0	5	71
		1816	0	1	08
		3131	0	1	39
		3248	0	0	20
पूर्बनूखा	255	500	0	0	32
		508	0	2	37
		509	0	9	47
		513	0	6	22
		514	0	6	26
		515	0	1	67
		516	0	2	78
		518	0	5	01
		519	0	0	98
		520	0	8	17
		800	0	1	16
		812	0	7	24
		817	0	5	85
		819	0	2	92
		820	0	4	59
		821	0	2	51
		822	0	4	08
		823	0	4	73
		824	0	3	53
		864	0	1	95
		865	0	1	58
		866	0	6	13
		867	0	11	14
		868	0	4	73
		870	0	9	00
कलिकापुर	256	1	0	4	46
		2	0	4	08
		116	0	0	23
		117	0	10	35
		118	0	0	42
		123	0	5	10
		124	0	1	81
		125	0	0	30
		127	0	2	78
		128	0	4	18

1	2	3	4	5	6
		158	0	1	11
		159	0	5	89
		160	0	1	35
		162	0	4	04
		163	0	7	80
		165	0	0	52
		166	0	1	95
		167	0	2	53
		185	0	3	71
		186	0	3	71
		187	0	0	85
		197	0	1	53
		198	0	1	76
		199	0	5	38
		200	0	4	50
		204	0	2	46
		205	0	6	64
		220	0	3	34
		222	0	2	09
		223	0	7	66
		224	0	5	94
		226	0	4	51
		228	0	3	57
		229	0	4	78
		250	0	0	20
		251	0	4	18
		252	0	4	73
		253	0	5	10
		254	0	5	20
		256	0	0	83
		265	0	0	23
		642	0	0	88
		643	0	1	39
		862	0	1	71
		865	0	1	95
		866	0	10	21
		867	0	0	70
		868	0	0	70
		869	0	2	27
		870	0	10	08
		871	0	0	20
		872	0	0	93
		873	0	2	62
		874	0	0	79
		878	0	1	11
		894	0	1	53
		895	0	9	93
		896	0	5	01
		897	0	4	83
		900	0	4	64
		901	0	4	83
		902	0	0	81

1	2	3	4	5	6
		954	0	0	20
		955	0	5	48
		956	0	7	98
		957	0	2	65
		124/1089	0	3	48
		162/1098	0	3	53
		163/1099	0	4	32
		878/1113	0	1	41
		955/1115	0	3	90
		955/1116	0	0	20
जयक्रान्धपुर	257	282	0	4	07
		283	0	0	89
		284	0	0	88
		287	0	8	47
		288	0	7	66
		294	0	13	50
		295	0	1	95
		296	0	1	84
		297	0	7	20
		299	0	2	32
		301	0	4	27
		288/998	0	4	41
मिरिकपुर	261	760	0	0	60
		822	0	1	30
		866	0	0	56
		868	0	0	20
		872	0	3	20
		873	0	5	85
		874	0	2	95
		876	0	2	69
		877	0	2	81
		878	0	2	14
		898	0	0	20
		899	0	2	09
		909	0	7	75
		915	0	1	51
		916	0	4	15
		917	0	1	05
		918	0	5	66
		919	0	0	83
		920	0	2	78
		921	0	3	34
		922	0	0	70
		923	0	10	15
		926	0	0	20
		936	0	1	23
		937	0	0	20
		938	0	11	83
		939	0	1	86
		940	0	2	62

1	2	3	4	5	6
		941	0	1	44
		942	0	2	18
		943	0	4	23
		950	0	0	74
		951	0	5	89
		952	0	0	20
		955	0	1	25
		956	0	5	08
		957	0	6	46
		959	0	1	81
		960	0	3	02
		961	0	1	11
		962	0	1	39
		963	0	6	36
		964	0	2	32
		968	0	2	90
		992	0	3	09
		993	0	4	01
		994	0	4	46
		995	0	0	20
		996	0	0	28
		997	0	1	28
		998	0	3	42
		999	0	3	80
		1186	0	0	42
		1187	0	5	90
		1188	0	9	38
		1468	0	0	83
		1494	0	0	80
		1495	0	5	68
		1496	0	2	41
		1497	0	0	20
		1501	0	7	64
		1502	0	3	39
		1527	0	0	99
		1528	0	8	43
		1529	0	0	74
		1530	0	1	26
		1532	0	3	77
		1533	0	5	79
		1534	0	0	20
		1535	0	4	20

1	2	3	4	5	6
		1537	0	1	51
		1539	0	0	51
		1540	0	5	62
		1541	0	4	73
		1542	0	0	61
		1544	0	7	18
		1740	0	4	07
		1741	0	2	83
		1744	0	0	47
		1745	0	6	28
		1746	0	0	20
		1747	0	0	20
		1749	0	12	72
		1750	0	0	20
		1819	0	0	20
		1821	0	4	90
		1822	0	5	29
		1824	0	0	35
		1825	0	2	75
		1826	0	2	48
		1000/2780	0	0	20
		921/2824	0	3	16
		941/2779	0	0	64
बार बसन्त	262	232	0	4	18
		273	0	0	72
		274	0	6	14
		275	0	3	71
		277	0	5	68
		278	0	2	65
		279	0	0	50
		288	0	0	99
		289	0	4	46
		290	0	1	43
		291	0	0	56
		293	0	3	16
		294	0	0	21
		295	0	3	65
		489	0	1	21
		648	0	2	38

Ministry of Petroleum and Natural Gas

New Delhi the 22nd January, 2001

§ O. 142.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 297 dated the 24th January, 2000, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude oil from Haldia in the State of West Bengal to Barauni in the State of Bihar by Indian Oil Corporation Limited;

And whereas, the copies of the said notification were made available to the public on 15th February, 2000;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report, is satisfied that the said land are required for laying of the pipelines for the transport of the petroleum products;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule to this notification are hereby acquired for laying the pipelines;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest, from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances.

Schedule					
Police Station : Tamluk	District : Midnapur		State : West Bengal		
Village	Jurisdiction	Plot.	Area		
	List No.	No.	Hectares	Ares	Centiares
1	2	3	4	5	6
Chakdurgadas	115	109	0	2	41
		454	0	0	20
		456	0	9	24
		457	0	9	56
		458	0	6	03
		459	0	2	60
		461	0	5	10
		462	0	0	42
		543	0	0	20
		545	0	0	47
		546	0	4	64
		547	0	02	50
		548	0	1	21
		549	0	4	46
		550	0	2	32
		613	0	5	12
		623	0	0	20
		624	0	2	55
		625	0	2	46
		626	0	5	57
		627	0	0	23
		628	0	9	28
		630	0	6	68
		636	0	2	04
		637	0	0	20
		638	0	4	46
		642	0	0	74
		643	0	10	30
		644	0	5	57
		646	0	1	30
		802	0	0	20
		805	0	3	34
		806	0	11	00
		807	0	4	27
		808	0	2	27
		809	0	4	78
		810	0	6	87
		811	0	4	73
		828	0	4	59
		829	0	6	13
		831	0	5	57
		832	0	7	43
		833	0	3	57
		861	0	1	71
		109/899	0	0	42
		460/922	0	0	65

1	2	3	4	5	6
		401/890	0	1	67
		482/924	0	2	60
		543/926	0	2	88
		543/927	0	8	33
		886/834	0	0	20
Ashuda Paikbar	117	19	0	0	20
		20	0	3	71
		21	0	0	23
		22	0	4	87
		23	0	0	56
		24	0	6	31
		25	0	0	47
		30	0	0	20
		50	0	0	85
		52	0	0	42
		53	0	8	71
		54	0	3	38
		410	0	2	14
		411	0	4	36
		412	0	9	83
		413	0	0	23
		414	0	14	45
		465	0	0	72
		505	0	2	78
		552	0	1	16
		553	0	5	01
		556	0	0	23
		559	0	4	87
		560	0	4	08
		561	0	0	28
		562	0	3	71
		563	0	0	83
		564	0	0	28
		567	0	3	71
		568	0	1	86
		569	0	4	36
		570	0	4	13
		571	0	0	89
		584	0	0	28
		585	0	5	06
		586	0	2	09
		587	0	3	90
		588	0	0	80
		589	0	2	00
		590	0	2	78
		591	0	2	51
		593	0	2	55
		596	0	2	23
		597	0	4	36
		598	0	0	88
		599	0	1	67

1	2	3	4	5	6
		651	0	1	18
		652	0	6	87
		653	0	0	78
		667	0	2	14
		638	0	2	32
		669	0	2	92
		670	0	0	28
		673	0	8	07
		674	0	14	11
		712	0	2	95
		713	0	2	51
		714	0	7	20
		715	0	1	11
Salikagar Chak	116	1247	0	7	38
		1248	0	8	26
		1251	0	1	20
		1252	0	0	47
		1253	0	0	56
		1259	0	0	20
		1260	0	0	74
		1261	0	3	76
		1262	0	4	64
		1263	0	3	90
		1264	0	1	67
		1265	0	0	88
		1266	0	0	37
		1269	0	5	22
		1292	0	0	20
		1293	0	0	56
		1380	0	0	32
		1382	0	3	34
		1383	0	4	97
		1385	0	2	69
		1386	0	0	20
		1392	0	7	05
		1393	0	3	34
		1397	0	3	62
		1398	0	0	20
		1399	0	17	45
		1400	0	6	01
		1401	0	5	52
		1407	0	0	65
		1479	0	1	81
		1480	0	7	71
		1484	0	12	34
		1486	0	1	16
		1487	0	2	27
		1488	0	10	58
		1496	0	6	68

1	2	3	4	5	6
Garupota Nijzote	121	173	0	0	60
Shalikadhani Chak	122	418	0	0	20
		443	0	2	04
		444	0	1	11
		445	0	0	23
		446	0	7	89
		481	0	2	78
		482	0	6	45
		497	0	7	98
		501	0	3	71
		502	0	0	51
		503	0	7	05
		505	0	6	68
		513	0	3	34
		516	0	2	23
		517	0	2	69
		518	0	2	78
		519	0	8	35
		536	0	9	75
		609	0	5	00
		610	0	0	20
		611	0	7	82
		628	0	2	78
		992	0	0	93
		1024	0	2	41
		1025	0	16	75
		1064	0	0	88
		1065	0	1	02
		1066	0	0	20
		1067	0	8	31
		1068	0	6	13
		1069	0	4	64
		1070	0	7	89
		1071	0	1	85
		1072	0	0	20
		1092	0	7	33
		1093	0	0	20
		1095	0	6	54
		1096	0	0	28
		1099	0	6	96
		1100	0	14	39
		1109	0	2	78
		1219	0	1	76
		1222	0	3	25
		1223	0	0	20
		1226	0	3	34
		1231	0	8	35
		1247	0	1	86
		1344	0	0	37
		1384	0	1	49

1	2	3	4	5	6
Laichhanpur	123	351	0	10	68
		352	0	5	20
		356	0	3	25
		358	0	11	42
		361	0	1	49
		362	0	0	23
		411	0	0	20
		412	0	15	22
		413	0	4	08
		414	0	4	59
		415	0	5	20
		416	0	2	41
		417	0	0	51
		418	0	0	20
		988	0	0	93
		989	0	2	60
		993	0	5	20
		1096	0	7	98
Barbarya Paikbar	124	354	0	1	03
		360	0	0	20
		361	0	1	03
		362	0	10	19
		364	0	4	49
		365	0	4	49
		367	0	3	74
		371	0	4	86
		373	0	0	75
		374	0	6	91
		375	0	2	99
		381	0	4	49
		382	0	3	18
		383	0	1	87
		384	0	6	36
		387	0	0	23
Rajnagar Baharjala	161	127	0	4	46
		473	0	3	99
		474	0	9	75
		575	0	1	02
		576	0	3	71
Putpute	162	1	0	1	08
		810	0	1	49
		813	0	9	05
		814	0	5	94
		815	0	1	02
		817	0	9	42
		818	0	0	83
		819	0	0	20
		822	0	3	29
		823	0	1	86

1	2	3	4	5	6
		824	0	2	37
		827	0	0	20
		828	0	4	46
		829	0	0	20
		833	0	7	81
		841	0	12	51
		870	0	0	54
		874	0	11	23
		875	0	2	46
		876	0	1	53
		880	0	7	24
		881	0	3	39
		882	0	3	85
		883	0	3	34
		884	0	0	20
		950	0	13	27
		951	0	2	41
		952	0	5	38
		986	0	1	07
		1024	0	5	20
		1025	0	3	44
		1026	0	3	71
		1027	0	2	65
		1028	0	3	57
		1029	0	13	23
		1030	0	1	00
		1055	0	3	02
		1073	0	0	21
		1074	0	0	20
		1079	0	0	48
		1474	0	2	88
		1475	0	2	76
		1476	0	2	27
		1477	0	0	20
		1478	0	6	50
		1480	0	0	23
		1484	0	3	71
		1507	0	4	57
		1525	0	3	29
		1526	0	1	21
		1530	0	0	70
		1533	0	7	75
		1543	0	4	92
		1544	0	8	82
		1550	0	0	20
		1551	0	1	17
		1552	0	7	10
		1553	0	4	51
		1554	0	5	85
		1603	0	1	81
		1610	0	0	56
		1611	0	3	95

1	2	3	4	5	6
		1613	0	6	08
		1614	0	10	30
		1619	0	4	62
		1620	0	2	95
		1625	0	2	51
		1628	0	0	98
		1905	0	0	76
		1909	0	5	49
		1917	0	0	20
		1922	0	0	37
		1928	0	2	84
		2077	0	5	48
		1551/2103	0	3	90
		1611/2105	0	3	09
		1613/2168	0	0	20
		829/2074	0	2	23
Putputra	163	1350	0	3	02
		1351	0	1	72
		1386	0	2	05
		1458	0	0	20
		1459	0	0	20
		1464	0	18	64
		1475	0	3	45
		1476	0	9	75
		1477	0	3	29
		1492	0	0	20
		1493	0	0	20
		1507	0	1	95
		1531	0	6	68
		1532	0	5	08
		1533	0	1	08
		1536	0	2	36
		1537	0	0	53
		1538	0	8	35
		1539	0	6	13
		1540	0	7	93
		1541	0	0	20
		1551	0	3	45
		1578	0	1	67
		1579	0	5	01
		1580	0	11	37
		1587	0	4	57
		1589	0	0	24
		1590	0	3	27
		1591	0	2	42
		1592	0	2	05
		1596	0	8	35
		1597	0	1	11
		1603	0	0	73
		1604	0	2	03
		1606	0	7	10

1	2	3	4	5	6
		1607	0	2	83
		1608	0	6	32
		1609	0	2	84
		1613	0	4	05
		1614	0	4	50
		1615	0	0	98
		1622	0	6	29
		1636	0	3	29
		1637	0	2	17
		1638	0	1	86
		1639	0	1	76
		1640	0	5	71
		1816	0	1	08
		3131	0	1	39
		3248	0	0	20
Purbanukha	255	500	0	0	32
		508	0	2	37
		509	0	9	47
		513	0	6	22
		514	0	6	26
		515	0	1	67
		516	0	2	78
		518	0	5	01
		519	0	0	98
		520	0	8	17
		800	0	1	16
		812	0	7	24
		817	0	5	85
		819	0	2	92
		820	0	4	59
		821	0	2	51
		822	0	4	08
		823	0	4	73
		824	0	3	53
		864	0	1	95
		865	0	1	58
		866	0	6	13
		867	0	11	14
		868	0	4	73
		870	0	9	00
Kalikapur	256	1	0	4	46
		2	0	4	08
		116	0	0	23
		117	0	10	35
		118	0	0	42
		123	0	5	10
		124	0	1	81
		125	0	0	30
		127	0	2	78
		128	0	4	18

1	2	3	4	5	6
		158	0	1	11
		159	0	5	89
		160	0	1	35
		162	0	4	04
		163	0	7	80
		165	0	0	52
		166	0	1	95
		167	0	2	53
		185	0	3	71
		186	0	3	71
		187	0	0	85
		197	0	1	53
		198	0	1	76
		199	0	5	38
		200	0	4	50
		204	0	2	46
		205	0	6	64
		220	0	3	34
		222	0	2	09
		223	0	7	66
		224	0	5	94
		226	0	4	51
		228	0	3	57
		229	0	4	78
		250	0	0	20
		251	0	4	18
		252	0	4	73
		253	0	5	10
		254	0	5	20
		256	0	0	83
		265	0	0	23
		642	0	0	88
		643	0	1	39
		862	0	1	71
		865	0	1	95
		866	0	10	21
		867	0	0	70
		868	0	0	70
		869	0	2	27
		870	0	10	08
		871	0	0	20
		872	0	0	93
		873	0	2	62
		874	0	0	79
		878	0	1	11
		894	0	1	53
		895	0	9	93
		896	0	5	01
		897	0	4	83
		900	0	4	64
		901	0	4	83
		902	0	0	81

1	2	3	4	5	6
		954	0	0	20
		955	0	5	48
		956	0	7	98
		957	0	2	65
		124/1089	0	3	48
		162/1098	0	3	53
		163/1099	0	4	32
		878/1113	0	1	41
		955/1115	0	3	90
		955/1116	0	0	20
Jaykrishnapur	257	282	0	4	07
		253	0	0	89
		284	0	0	88
		237	0	8	47
		288	0	7	66
		290	0	13	50
		295	0	1	95
		296	0	1	64
		297	0	7	20
		299	0	2	32
		301	0	4	27
		208/998	0	4	41
Mirikpur	261	760	0	0	60
		822	0	1	30
		866	0	0	56
		868	0	0	20
		872	0	3	20
		873	0	5	85
		874	0	2	05
		876	0	2	69
		877	0	2	81
		878	0	2	14
		898	0	0	20
		899	0	2	09
		909	0	7	75
		915	0	1	51
		916	0	4	15
		917	0	1	05
		918	0	5	66
		919	0	0	83
		920	0	2	78
		921	0	3	34
		922	0	0	70
		923	0	10	15
		926	0	0	20
		936	0	1	23
		937	0	0	20
		938	0	11	83
		939	0	1	86
		940	0	2	62

1	2	3	4	5	6
		941	0	1	44
		942	0	2	18
		943	0	4	23
		950	0	0	74
		951	0	5	89
		952	0	0	20
		955	0	1	25
		956	0	5	08
		957	0	3	46
		959	0	1	81
		960	0	3	02
		961	0	1	11
		962	0	1	39
		963	0	6	36
		964	0	2	32
		968	0	2	90
		992	0	3	09
		993	0	4	01
		994	0	4	46
		995	0	0	20
		996	0	0	28
		997	0	1	28
		998	0	3	42
		999	0	3	80
		1186	0	0	42
		1187	0	5	90
		1188	0	9	38
		1468	0	0	83
		1494	0	0	80
		1495	0	5	68
		1496	0	2	41
		1497	0	0	20
		1501	0	7	64
		1502	0	3	39
		1527	0	0	99
		1528	0	8	43
		1529	0	0	74
		1530	0	1	26
		1532	0	3	77
		1533	0	5	79
		1534	0	0	20
		1535	0	4	20

1	2	3	4	5	6
		1540	0	5	62
		1541	0	4	73
		1542	0	0	61
		1544	0	7	18
		1740	0	4	07
		1741	0	2	83
		1744	0	0	47
		1745	0	6	28
		1746	0	0	20
		1747	0	0	20
		1749	0	12	72
		1750	0	0	20
		1819	0	0	20
		1821	0	4	90
		1822	0	5	29
		1824	0	0	35
		1825	0	2	75
		1826	0	2	48
		1000/2780	0	0	20
		921/2824	0	3	16
		941/2779	0	0	64
Bar Basanta	262	232	0	4	18
		273	0	0	72
		274	0	6	14
		275	0	3	71
		277	0	5	68
		278	0	2	65
		279	0	0	50
		288	0	0	99
		289	0	4	46
		290	0	1	43
		291	0	0	56
		293	0	3	16
		294	0	0	21
		295	0	3	65
		489	0	1	21
		648	0	2	38

[NO R - 31015 /1/ 2000 - OR - I]

S Chandrasekhar, Under Secy

नई दिल्ली, 22 जनवरी, 2001

का. आ. 143.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 298 तारीख 24 जनवरी 2000, पश्चिमी बंगाल राज्य में हल्दिया से बिहार राज्य में बरौनी तक इंडियन ऑयल कारपोरेशन लिमिटेड द्वारा कच्चे तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 15 फरवरी 2000 को उपलब्ध करा दी गई थीं;

और उक्त अधिनियम की धारा 6 उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है,

और केन्द्रीय सरकार का, उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना की अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित किया जाता है ;

यह और कि केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमियों के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लंगमों से रहित, इस घोषणा के प्रकाशन की तारीख से इंडियन ऑयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची					
पुलिस थाना - महिषादल	जिला - मिदनापुर		राज्य पश्चिमी बंगाल		
गाँव	अधिकारिता सूची संख्या	प्लॉट संख्या	क्षेत्र हेक्टेयर	आरे	सेटीआरे
1	2	3	4	5	6
वामुनया	134	1262	0	7	00
		1263	0	10	02
		1264	0	5	89
		1265	0	1	58
		1267	0	0	20
		1268	0	7	04
		1269	0	1	52
		1270	0	0	76
		1271	0	0	30
		1275	0	0	92
		1276	0	2	50
		1277	0	3	15
		1278	0	1	95
		1296	0	1	37
		1297	0	3	82
		1298	0	0	70
		1300	0	0	20
		1301	0	1	93
		1302	0	2	31
		1303	0	3	21
		1307	0	7	18
		1308	0	6	64
		1317	0	6	82
		1318	0	0	60
		1319	0	4	78
		1320	0	0	20
		1323	0	1	02
		1328	0	2	41
		1381	0	0	87
		1405	0	0	23
		1406	0	6	68
		1407	0	11	79
		1415	0	0	20
		1418	0	15	36
		1419	0	7	80
		1420	0	4	55
		1421	0	3	40
		1431	0	0	96
		1433	0	8	31
		1438	0	3	69
		1464	0	0	76
		1498	0	1	43
		1502	0	0	20
		1503	0	2	38
		1504	0	3	57
		1505	0	1	78
		1506	0	1	33
		1507	0	2	00

1	2	3	4	5	6
		1508	0	2	97
		1509	0	0	20
		1510	0	4	83
		1511	0	7	01
		1512	0	1	96
		1596	0	3	39
		1609	0	0	30
		1611	0	9	93
		1612	0	1	78
		1628	0	14	93
		1629	0	5	03
		1630	0	0	32
		2248	0	2	25
		2249	0	2	04
		2251	0	5	43
		2284	0	3	01
		2289	0	2	63
		2290	0	2	35
		1316/1988	0	5	75
केशवपुर जलपाइ	133	720	0	4	64
		721	0	4	64
		722	0	4	18
		723	0	2	88
		785	0	3	61
		786	0	3	67
		788	0	11	65
		789	0	0	61
		796	0	7	47
		801	0	10	21
		802	0	14	52
		803	0	0	91
		808	0	0	20
		814	0	0	69
		815	0	12	99
		816	0	6	68
		817	0	2	78
		818	0	9	82
		819	0	4	36
		820	0	1	95
		823	0	5	26
		824	0	8	72
		868	0	0	28
		870	0	1	81
		871	0	9	92
		875	0	1	97
		876	0	9	15
		877	0	4	55
		934	0	17	92
		776/3079	0	3	36
		786/3080	0	7	33
		786/3081	0	0	20

1	2	3	4	5	6
काँचनपुर जलपाइ	132	130	0	2	14
		131	0	0	20
		132	0	18	01
		134	0	6	77
		135	0	3	80
		149	0	19	33
		150	0	3	79
		151	0	0	56
		159	0	3	99
		163	0	15	41
		164	0	0	20
		174	0	13	55
		175	0	1	91
		178	0	0	20
		179	0	0	87
		180	0	5	75
		181	0	0	57
		670	0	7	71
		671	0	7	89
		673	0	6	87
		676	0	3	44
		677	0	2	20
		678	0	0	48
		710	0	0	95
		711	0	0	56
		714	0	3	56
		715	0	5	46
		717	0	2	78
		718	0	11	21
		724	0	1	13
		725	0	0	20
		793	0	0	20
		794	0	3	29
		795	0	6	85
		796	0	4	57
		797	0	6	03
		798	0	7	52
		807	0	0	58
		808	0	1	75
		810	0	0	20
		815	0	0	28
		816	0	6	68
		817	0	1	62
		823	0	0	20
		824	0	9	26
		825	0	2	23
		1320	0	2	60
		1335	0	3	67
		1336	0	0	20
		1337	0	3	44
		1338	0	6	03

1	2	3	4	5	6
		1407	0	0	34
		174/1282	0	1	97
		175/1283	0	8	17
		178/1284	0	5	04
		710/1383	0	4	83
		711/1384	0	4	01
		714/1386	0	5	20
		715/1387	0	0	80
राजारासपुर	130	2859	0	4	83
		2880	0	5	38
		2861	0	0	30
		2863	0	2	25
		2864	0	0	20
		2865	0	0	20
		2868	0	16	57
		2903	0	0	20
		2945	0	2	78
दक्षिण काशिम नगर	129	7	0	6	11
		8	0	0	98
		9	0	5	20
		10	0	0	83
		20	0	6	50
		21	0	1	28
		22	0	4	13
		25	0	2	94
		26	0	1	76
		29	0	2	19
		30	0	0	20
		32	0	0	57
		37	0	0	20
		42	0	1	24
		43	0	4	36
		44	0	4	04
		45	0	1	53
		47	0	1	29
		66	0	3	32
		67	0	3	71
		68	0	2	30
		69	0	0	20
		72	0	0	21
		73	0	0	23
		74	0	2	66
		75	0	3	44
		76	0	1	53
		77	0	2	35
		78	0	1	74
		79	0	1	46
		80	0	1	86
		81	0	3	40
		145	0	0	20
		272	0	1	36

1	2	3	4	5	6
		273	0	1	14
		274	0	1	14
		290	0	4	64
		296	0	6	50
		298	0	4	01
		299	0	1	08
		300	0	1	34
		301	0	0	20
		314	0	5	73
		315	0	2	98
		323	0	7	42
		325	0	5	66
		331	0	6	06
		334	0	3	87
		348	0	1	68
		352	0	0	20
		353	0	3	13
		354	0	1	86
		355	0	2	52
		356	0	4	83
		368	0	5	00
		378	0	4	75
		379	0	9	70
		407	0	20	14
		411	0	0	32
		412	0	3	34
		413	0	0	43
		414	0	5	60
		416	0	2	78
		430	0	3	71
		434	0	1	33
		435	0	5	99
		446	0	2	05
		447	0	2	69
		448	0	3	15
		450	0	4	35
		451	0	0	20
		10/809	0	2	04
		20/841	0	0	20
		314/838	0	4	75
		371/824	0	7	66
		379/818	0	8	09
		430/842	0	4	18
		451/837	0	8	41

[संख्या - आर - 31015/2/ 2000 - ओ आर - I]

एस चन्द्रशेखर, अवर सचिव

New Delhi, the 22nd January, 2001

S. O. 143.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 298 dated 24th January, 2000, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of crude oil from Haldia in the State of West Bengal to Barauni in the State of Bihar by Indian Oil Corporation Limited;

And whereas, the copies of the said notification were made available to the public on 15.02.2000;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule to this notification are hereby acquired,

And further, in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest from the date of publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

Schedule					
Police Station Mahishadal	District Midnapur		State West Bengal		
Village	Jurisdiction	Plot	Area		
	List No	No	Hectares	Ares	Centiares
1	2	3	4	5	6
Bamunya	134	1252	0	7	00
		1253	0	10	02
		1254	0	5	89
		1255	0	1	58
		1257	0	0	20
		1258	0	7	04
		1259	0	1	52
		1270	0	0	75
		1271	0	0	30
		1275	0	0	92
		1276	0	2	50
		1277	0	3	15
		1278	0	1	95
		1296	0	1	37
		1297	0	3	82
		1298	0	0	70
		1300	0	0	20
		1301	0	1	93
		1302	0	2	31
		1303	0	3	21
		1307	0	7	18
		1308	0	6	64
		1317	0	6	82
		1318	0	0	60
		1319	0	4	78
		1320	0	0	20
		1323	0	1	02
		1328	0	2	41
		1381	0	0	87
		1405	0	0	23
		1406	0	6	68
		1407	0	11	79
		1415	0	0	20
		1418	0	15	36
		1419	0	7	80
		1420	0	4	55
		1421	0	3	40
		1431	0	0	96
		1433	0	8	31
		1438	0	3	69
		1454	0	0	76
		1498	0	1	43
		1502	0	0	20
		1503	0	2	38
		1504	0	3	57
		1505	0	1	78
		1506	0	1	33
		1507	0	2	00

1	2	3	4	5	6
		1508	0	2	97
		1509	0	0	20
		1510	0	4	83
		1511	0	7	01
		1512	0	1	96
		1596	0	3	39
		1609	0	0	30
		1611	0	9	93
		1612	0	1	78
		1628	0	14	93
		1629	0	5	03
		1630	0	0	32
		2248	0	2	25
		2249	0	2	04
		2251	0	5	43
		2284	0	3	01
		2289	0	2	63
		2290	0	2	35
		1316/1988	0	5	75
Keshabpur Jalpai	133	720	0	4	64
		721	0	4	64
		722	0	4	18
		723	0	2	88
		785	0	3	61
		786	0	3	67
		788	0	11	65
		789	0	0	61
		796	0	7	47
		801	0	10	21
		802	0	14	52
		803	0	0	91
		808	0	0	20
		814	0	0	69
		815	0	12	99
		816	0	6	68
		817	0	2	78
		818	0	9	82
		819	0	4	36
		820	0	1	95
		823	0	5	26
		824	0	8	72
		868	0	0	28
		870	0	1	81
		871	0	9	92
		875	0	1	97
		876	0	9	15
		877	0	4	55
		934	0	17	92
		776/3079	0	3	36
		786/3080	0	7	33
		786/3081	0	0	20

1	2	3	4	5	6
Kanchanpur Jalpai	132	130	0	2	14
		131	0	0	20
		132	0	18	01
		134	0	6	77
		135	0	3	80
		149	0	19	33
		150	0	3	79
		151	0	0	56
		159	0	3	99
		163	0	15	41
		164	0	0	20
		174	0	13	55
		175	0	1	91
		178	0	0	20
		179	0	0	87
		180	0	5	75
		181	0	0	57
		670	0	7	71
		671	0	7	89
		673	0	6	87
		676	0	3	44
		677	0	2	20
		678	0	0	48
		710	0	0	95
		711	0	0	56
		714	0	3	56
		715	0	5	46
		717	0	2	78
		718	0	11	21
		724	0	1	13
		725	0	0	20
		793	0	0	20
		794	0	3	29
		795	0	6	85
		796	0	4	57
		797	0	6	03
		798	0	7	52
		807	0	0	58
		808	0	1	75
		810	0	0	20
		815	0	0	28
		816	0	6	68
		817	0	1	62
		823	0	0	20
		824	0	9	26
		825	0	2	23
		1320	0	2	60
		1335	0	3	67
		1336	0	0	20
		1337	0	3	44
		1338	0	6	03

1	2	3	4	5	6
		1407	0	0	34
		174/1282	0	1	97
		175/1283	0	8	17
		178/1284	0	5	04
		710/1383	0	4	83
		711/1384	0	4	01
		714/1386	0	5	20
		715/1387	0	0	80
Rajarampur	130	2859	0	4	83
		2860	0	5	38
		2861	0	0	30
		2863	0	2	25
		2864	0	0	20
		2865	0	0	20
		2888	0	16	57
		2903	0	0	20
		2945	0	2	78
Dakshin Kashim Nagai	129	7	0	6	11
		8	0	0	98
		9	0	5	20
		10	0	0	83
		20	0	6	50
		21	0	1	28
		22	0	4	13
		25	0	2	94
		28	0	1	76
		29	0	2	19
		30	0	0	20
		32	0	0	57
		37	0	0	20
		42	0	1	24
		43	0	4	36
		44	0	4	04
		45	0	1	53
		47	0	1	29
		66	0	3	32
		67	0	3	71
		68	0	2	30
		69	0	0	20
		72	0	0	21
		73	0	0	23
		74	0	2	66
		75	0	3	44
		76	0	1	53
		77	0	2	35
		78	0	1	74
		79	0	1	48
		80	0	1	86
		81	0	3	40
		145	0	0	20
		272	0	1	38

1	2	3	4	5	6
		273	0	1	14
		274	0	1	14
		290	0	4	64
		296	0	6	50
		298	0	4	01
		299	0	1	08
		300	0	1	34
		301	0	0	20
		314	0	5	73
		315	0	2	96
		323	0	7	42
		325	0	5	66
		331	0	6	06
		334	0	3	87
		348	0	1	68
		352	0	0	20
		353	0	3	13
		354	0	1	86
		355	0	2	52
		356	0	4	83
		368	0	5	00
		378	0	4	75
		379	0	9	70
		407	0	20	14
		411	0	0	32
		412	0	3	34
		413	0	0	43
		414	0	5	60
		416	0	2	78
		430	0	3	71
		434	0	1	33
		435	0	5	99
		446	0	2	05
		447	0	2	69
		448	0	3	15
		450	0	4	35
		451	0	0	20
		10/809	0	2	04
		20/841	0	0	20
		314/838	0	4	75
		371/824	0	7	66
		379/818	0	8	09
		430/842	0	4	18
		451/837	0	8	41

[NO R - 31015/2/ 2000 - OR - I]
S Chandrasekhar, Under Secy

नई दिल्ली, 23 जनवरी, 2001

का. आ. 144.—पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 17 के अधीन बनाए गए पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अधीन नियम 4 के परन्तुक के अनुसरण में, मै स्की0एस0 नाईक, सक्षम प्राधिकारी धल उसर गैस पाइप लाइन, गैस अथॉरिटी ऑफ इंडिया लिमिटेड जिसे, यथास्थिति, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है या उसर क्षेत्र में पाइप लाइन का स्वामित्व प्रदान किया गया है, के परामर्श से इससे संलग्न अनुसूची के स्तम्भ 6 में यथा वर्णित धल से उसर संयंत्र तक गैस पाइप लाइन बिछाने के कार्य की समाप्ति की तारीख की घोषणा करता हूँ।

अनुसूची

क्र० सं०	ग्राम का नाम	मंडल	धारा 3(1) के अधीन अधिसूचना के		धारा 6 (1) के अधीन अधिसूचना के		कार्य की समाप्ति की तारीख
			राजपत्र में प्रकाशन की तारीख	का०आ० संख्या और तारीख	राजपत्र में प्रकाशन की तारीख	का०आ० संख्या और तारीख	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
01	गुंजीस	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
02	तुडाल	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98

1.	2.	3.	4.	5.	6.	7.	8.
03	भाल	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
04	मान	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
05	बरमोली	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
06	मुले	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
07	वेश्वी	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
08	गेंधलपाडा	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98

	2	3	4	5	6	7	8
09	कुसूल	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
10	बेलकडे.	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
11	ढबर	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
12	सहाण	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
13	कावीर	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
14	बामणगांव	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
15	बढाय	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
16	वेल्लवली	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98

1	2	3	4	5	6	7	8
17	सानाव	झिराड, तालुका अलिबाग जिला रायगढ़, राज्य महाराष्ट्र	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 शुद्धिपत्र 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98

[स एल-14016/6/93-जी पी (भाग-II)]

सुनील कुमार सिंह, अधर सचिव

New Delhi, the 23rd January, 2001

O. 144.—In pursuance of proviso to rule 4 under explanation of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963 framed under section 17 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962). I, V S Naik, Competent Authority, Thal Usar Gas Pipe Line in consultation with Gas Authority of India Limited with whom the right of user in land in that area has been vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of operation of laying Gas Pipeline from Thal to Usar plant as mentioned in column (8) of the Schedule appended herewith

Schedule

Sr N	Name of Village	Mandal	Notification U/S 3(1)		Notification U/S 6(1)		Date of termination of operation
			Date of publicat ion of Gazette	So No Date	Date of publicat ion of Gazette	So No Date	
(1)	(2)	3	(4)	(5)	(6)	(7)	(8)
01	Gunjis.	Zirad Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98

1	2	3	4	5	6	7	8
02	Tudal.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
03	Bhal.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
04	Mann.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
05	Warsoli.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
06	Mule.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
07	Veshvi.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98
08	Gondh- pada.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25.5.98

1	2	3	4	5	6	7	8
09	Kurul.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
10	Belkade	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05. 96corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
11	Dhavar.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05. 96corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
12	Sahan.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 conigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
13	Kavir.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 conigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
14	Baman- Gaon.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
15	Vadv.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98
16	Velha- Vali.	Taluka Alibag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 conigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98

1	2	3	4	5	6	7	8
17	Khanav	Taluka Ahbag Dist. Raigad state Maharashtra	02.12.95 01.06.96 01.02.97	3121/15.11.95 1515/13.05.96 corrigenda 225/20.01.97 226/20.01.97	18.01.97 03.05.97 03.5.97	100/09.1.97 1133/23.04.97 1132/23.04.97	25 5 98

[No F-14016/6/93 GP (Vol II)]
S. K. SINGH, Under Secy.

नई दिल्ली, 24 जनवरी 2001

का. आ. 145.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 300 तारीख 28 जनवरी 2000, पश्चिमी बंगाल राज्य के हल्दिया से बिहार राज्य के बरौनी तक इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियों जनता को तारीख 15 फरवरी 2000 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट द दी है ,

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए,

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना की अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाता है ;

यह और कि केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमियों के उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची					
पुलिस थाना - नन्दकुमार	जिला	मिदनापुर	राज्य - पश्चिमी बंगाल		
गाँव	अधिकारिता	प्लॉट संख्या	क्षेत्र		
	सूची संख्या		हेक्टेयर	आरे	सेटीआरे
1	2	3	4	5	6
कल्यानपुर	125	3	0	0	70
		369	0	2	36
		386	0	0	20
		387	0	3	13
		388	0	3	50
		390	0	4	18
		391	0	0	83
		392	0	8	45
		393	0	4	39
		487	0	3	88
		489	0	9	93
		490	0	0	32
		493	0	3	23
		496	0	3	24
		497	0	1	16
		498	0	2	37
		499	0	1	45
		500	0	0	25
		501	0	5	63
		502	0	7	04
		510	0	1	95
		636	0	0	20
		637	0	3	00
		638	0	3	86
		639	0	0	23
		640	0	2	16
		641	0	0	20
		649	0	8	63
		650	0	1	74
		651	0	0	20
		1329	0	2	33
		1378	0	6	00
		1384	0	3	34
		1385	0	0	20
		1386	0	2	29
		1387	0	0	20
		1388	0	3	44
		1443	0	3	15
		1444	0	2	53
		1445	0	4	21
		1446	0	3	04
		1451	0	6	03
		1452	0	0	23
		1457	0	5	65
		1458	0	0	20
		1459	0	1	19
		1460	0	1	72
		1461	0	1	70

भारत का राजपत्र जनवरी 27, 2001/माघ 7, 1922

[भाग II—खंड 3 (ii)]

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		1490	0	1	11
		1492	0	4	61
		1493	0	0	42
		1494	0	3	52
		1508	0	0	20
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		1511	0	11	42
		1512	0	0	85
		1514	0	0	28
		1519	0	2	62
		1520	0	1	13
		1521	0	3	62
		1925	0	0	91
		2094	0	8	71
		2095	0	2	09
		2096	0	0	20
		2097	0	0	20
		2098	0	1	07
		2099	0	3	19
		2100	0	1	62
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		2161	0	9	19
		2162	0	0	47
		2163	0	2	63
		2164	0	5	97
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		2611	0	0	98
		2612	0	0	20
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		2614	0	2	42
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		2632	0	6	85
		2633	0	5	52
		2634	0	1	39
		2635	0	6	07

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		2684	0	0	20
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		2693	0	2	08
		2694	0	3	53
		2695	0	1	86
		2696	0	0	20
		2697	0	6	10
		2698	0	0	49
		2699	0	2	69
		2706	0	2	72
		2707	0	2	53
		2708	0	2	53
		2709	0	0	77
		2710	0	1	33
		2717	0	1	16
		2718	0	1	51
		3674	0	3	29
भाधबपूर	122	168	0	1	86
		169	0	1	67
		170	0	1	67
		202	0	5	75
		210	0	9	47
		213	0	1	76
		214	0	1	90
		215	0	1	30
		216	0	1	58
		217	0	0	83
		220	0	0	59
		221	0	5	85
		222	0	7	43
		248	0	0	35
		249	0	0	20
		250	0	11	98
		251	0	1	24
		257	0	19	19
		300	0	5	20
		301	0	13	04
		302	0	0	60
		307	0	5	86
		308	0	3	76
		309	0	3	90
		310	0	0	20
		311	0	0	20
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		339	0	3	90
		340	0	0	43
		342	0	1	64

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		371	0	1	05
		372	0	1	30
		373	0	0	67
		374	0	0	65
		375	0	0	21
		377	0	0	93
		378	0	20	42
		379	0	9	73
		381	0	0	71
		382	0	5	57
		384	0	0	20
		385	0	6	50
		3067	0	0	20
		3082	0	5	10
		3092	0	1	39
		3094	0	0	20
		3095	0	0	20
		3096	0	0	37
सान्दालपुर	121	881	0	0	20
		882	0	10	30
		883	0	0	23
		886	0	3	11
		887	0	10	45
		888	0	0	20
		917	0	2	15
		918	0	6	27
		919	0	5	79
		920	0	1	80
		925	0	3	62
		926	0	13	44
		928	0	0	56
		929	0	0	20
		931	0	7	78
		932	0	2	08
		933	0	1	38
		936	0	0	32
		1062	0	01	36
		1063	0	0	28
		1064	0	0	39
		1066	0	1	67
		1075	0	0	20
		1077	0	3	84
		1078	0	9	49
		1079	0	6	03
		1082	0	7	26
		1085	0	11	70
		1087	0	3	16
		1088	0	2	95
		1089	0	4	18

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		1135	0	8	35
		1136	0	9	19
		1144	0	1	74
		1145	0	1	61
		1237	0	4	97
		1238	0	8	91
		1241	0	7	05
		1242	0	0	99
		1243	0	2	04
		1244	0	5	16
		1245	0	0	37
		1246	0	7	44
		1247	0	0	20
		1252	0	2	82
		1254	0	0	57
		1259	0	4	09
		1273	0	0	20
		1274	0	1	95
		1275	0	7	24
		1278	0	6	31
		1281	0	5	38
		1550	0	0	23
		1560	0	12	34
		1565	0	13	65
		1566	0	5	48
		1602	0	16	24
		1607	0	8	82
		1611	0	4	55
		1612	0	4	18
		1616	0	6	41
		1617	0	0	20
		1781	0	3	02
		1782	0	0	43
		1785	0	1	39
		1786	0	2	47
		1787	0	1	72
		1790	0	2	23
		1806	0	1	95
		1807	0	1	67
		1808	0	0	98
		1854	0	6	13
		1860	0	1	97
		1865	0	1	10
		1866	0	0	91
		1867	0	1	11
शीतलपूर	71	1868	0	0	52
		1870	0	0	47
		1872	0	6	96
		1873	0	3	25

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		1875	0	3	70
		2693	0	1	86
		2694	0	2	78
		2695	0	13	31
		2722	0	1	95
भबानीपूर	73	87	0	0	67
		88	0	8	26
		89	0	0	23
		90	0	1	58
		91	0	0	20
		94	0	0	20
		95	0	7	15
		96	0	5	94
		97	0	0	20
		104	0	4	09
		105	0	2	79
		108	0	0	83
		118	0	1	49
		120	0	1	49
		121	0	3	06
		122	0	7	24
		123	0	0	20
		124	0	9	29
		128	0	2	32
		141	0	0	20
		151	0	0	93
		152	0	2	32
		153	0	4	64
		154	0	4	09
		155	0	2	97
		156	0	3	34
		157	0	0	20
		167	0	6	50
		168	0	0	83
		169	0	1	07
		170	0	0	92
		221	0	17	64
		239	0	0	20
		240	0	2	79
		241	0	0	40
		242	0	12	26
		243	0	0	23
		244	0	0	74
		245	0	1	49
		634	0	1	11
		645	0	16	71
		646	0	1	39
		647	0	7	52
		648	0	0	93
		650	0	8	17

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		652	0	1	67
		655	0	2	79
		657	0	1	67
		1007	0	0	20
		1011	0	0	20
		1012	0	7	24
		1013	0	7	80
		1031	0	0	72
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		1053	0		20
		1054	0		71
		1055	0		51
		1056	0		39
		1057	0	5	62
		1058	0	3	17
		1059	0	5	57
		1074	0	0	20
		1082	0	3	06
		1086	0	0	43
		1087	0	3	71
		1088	0	0	23
		1089	0	0	50
		1090	0	5	57
		1091	0	0	20
		1095	0	11	14
		1096	0	3	53
		1097	0	14	49
		1617	0	0	20
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		1621	0	3	06
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		1624	0	2	40
		1625	0	0	23
		1627	0	0	20
		1628	0	2	69
		1629	0	4	55
		1630	0	0	70
		1631	0	4	27
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		1633	0	2	32
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		1636	0	0	54
		1649	0	0	20
		1651	0	0	48
		1682	0	6	13
		1683	0	5	20
		1692	0	0	90

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		1695	0	3	62
		1696	0	2	60
		1697	0	2	11
		1698	0	1	39
		1699	0	2	78
		1701	0	0	28
		1724	0	12	27
		1727	0	0	21
		1728	0	8	54
		1729	0	2	04
		1730	0	1	49
		1732	0	5	48
		2070	0	3	34
		2071	0	2	88
		2072	0	2	51
		2116	0	1	21
		2119	0	7	98
		2121	0	4	46
		2166	0	1	21
		2219	0	0	63
		2220	0	1	77
कल्यानचक	72	1164	0	16	89
		1168	0	1	00
		1195	0	4	64
		1198	0	4	64
		1199	0	2	23
		1202	0	5	66
		1203	0	6	68
		1205	0	9	47
		1206	0	11	88
		1211	0	0	52
		1238	0	0	96
शामसून्दरपुर	74	62	0	6	68
		63	0	2	65
		152	0	2	32
		153	0	5	10
		154	0	0	91
		155	0	7	05
		157	0	1	26
		158	0	6	87
		159	0	2	04
		164	0	1	95
		165	0	11	14
		197	0	0	42
		301	0	9	47
		302	0	4	27
		303	0	5	85
		321	0	1	32

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		322	0	6	87
		326	0	5	85
		327	0	7	43
		328	0	4	18
		329	0	5	10
		330	0	0	83
		335	0	0	32
		336	0	7	24
		791	0	1	95
		792	0	1	11
		798	0	2	32
		895	0	3	34
		896	0	0	65
		897	0	6	49
		898	0	0	83
		900	0	0	83
		901	0	21	05
		902	0	2	81
		903	0	2	09
		904	0	1	56
		905	0	0	35
		908	0	9	19
		913	0	0	65
		931	0	3	90
		932	0	0	74
		934	0	3	80
		935	0	0	98
		970	0	0	83
ठाकूरधक	75	2	0	1	11
		5	0	0	83
		13	0	0	56
		17	0	0	63
		18	0	3	16
		19	0	5	75
		22	0	8	35
		23	0	1	11
		26	0	1	11
		45	0	23	95
		46	0	0	56
		77	0	8	17
		78	0	9	28
		79	0	0	24
		168	0	1	53
		169	0	9	93
		183	0	7	43
		184	0	1	18
		191	0	6	96
		192	0	6	68
		193	0	0	98
		194	0	3	34
		195	0	5	78

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		463	0	3	34
		464	0	1	89
		465	0	11	51
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		467	0	16	24
		473	0	11	04
		476	0	0	20
		477	0	0	20
		478	0	0	20
		483	0	0	74
		484	0	7	80
		486	0	2	60
		488	0	1	67
		489	0	6	03
		490	0	0	83
		491	0	6	03
		564	0	10	95
		566	0	11	14
		567	0	6	03
		572	0	2	78
राजनगर	68	2570	0	0	28
		2571	0	2	78
		2574	0	4	55
		2576	0	2	32
		2577	0	1	86
		2578	0	0	20
		2579	0	5	57
		2584	0	6	03
		2587	0	6	50
		2588	0	1	25
पान्छब बसान	65	1	0	0	65
		2	0	1	02
		157	0	6	03
		158	0	4	46
		159	0	1	21
		161	0	2	23
		162	0	8	35
		164	0	10	02
		165	0	3	80
		185	0	6	22
		186	0	0	20
		187	0	0	76
		188	0	4	46
		189	0	2	20
		190	0	0	54
		191	0	0	70
		200	0	12	90
		206	0	3	71
		208	0	3	39

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		211	0	0	23
		212	0	2	32
		213	0	3	90
		215	0	2	83
		257	0	6	36
		258	0	8	91
		292	0	2	38
		298	0	0	83
		299	0	6	08
		300	0	4	73
		304	0	10	02
		305	0	5	38
		309	0	6	26
		349	0	0	70
		350	0	0	65
		351	0	0	20
		354	0	1	18
		355	0	5	85
		356	0	5	20
		357	0	3	99
		358	0	0	25
		380	0	1	25
दक्षिण दामोदरपूर	28	90	0	0	20
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		97	0	11	70
		99	0	2	09
		100	0	2	46
		102	0	5	85
		115	0	4	27
		116	0	5	38
		117	0	7	05
		125	0	0	28
		126	0	4	73
		127	0	0	20
		128	0	10	21
		129	0	0	28
		130	0	4	73
		132	0	0	65
		137	0	4	59
		138	0	0	42
		139	0	15	78
		140	0	0	20
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		350	0	0	83
		351	0	3	06
		352	0	3	76
		353	0	5	38
		354	0	0	73
		355	0	7	43
		356	0	4	08

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		360	0	4	83
		361	0	2	09
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		652	0	0	65
		710	0	2	23
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		719	0	3	48
		720	0	0	20
		721	0	3	34
		722	0	8	91
		723	0	13	92
		724	0	0	20
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		1423	0	0	20
		1426	0	11	98
		1427	0	4	83
		1428	0	6	03
		1433	0	0	20
		1434	0	1	53
		1459	0	0	74
		1460	0	5	57
		1471	0	2	25
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		1473	0	5	38
		1474	0	1	49
		1476	0	3	48
		1477	0	5	57
		1478	0	0	20
		1511	0	1	30
		1512	0	0	20
		1641	0	0	70
		1642	0	1	25
चक सिमूलिया	14	414	0	0	35
		452	0	5	38
		453	0	0	56
		454	0	0	22
		455	0	12	72
		456	0	5	57
		510	0	0	37
		511	0	0	37
		512	0	1	86
		513	0	1	86
		514	0	2	78
		515	0	2	23
		516	0	2	51
		517	0	2	41
		518	0	3	53
		523	0	6	68
		524	0	1	53

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		527	0	0	20
		528	0	0	20
		530	0	0	20
		535	0	6	77
		536	0	8	54
		537	0	3	80
		543	0	9	28
		544	0	7	89
		550	0	0	42
		551	0	0	20
		552	0	0	20
		605	0	0	20
		1297	0	0	83
नछिपूर	27	10	0	5	57
		11	0	11	70
		12	0	1	21
		13	0	1	11
		25	0	1	21
		26	0	6	50
		31	0	0	23
		32	0	8	54
		33	0	5	10
		43	0	8	96
		44	0	8	54
		49	0	0	35
		52	0	1	21
		53	0	2	69
		56	0	5	20
		57	0	7	71
		60	0	1	86
		61	0	3	80
		62	0	11	51
		253	0	0	62
		596	0	5	75
महिसगोट	21	1	0	0	56
		66	0	2	41
		77	0	1	76
		80	0	2	78
		81	0	2	32
		214	0	0	63
		215	0	5	43
		216	0	3	06
		217	0	2	78
		223	0	1	86
		226	0	7	98
		227	0	4	18
		228	0	6	96
		229	0	5	15
		230	0	0	65

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		253	0	1	49
		256	0	3	76
		257	0	1	86
		258	0	7	89
		259	0	0	20
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		261	0	4	92
		262	0	4	73
		263	0	1	21
		264	0	9	28
		265	0	0	20
		336	0	5	85
		337	0	0	47
		338	0	4	64
		339	0	4	83
		791	0	15	31
		792	0	0	20
		802	0	0	20
		803	0	7	15
		804	0	7	05
		806	0	0	20
		807	0	5	20
		808	0	6	31
		814	0	2	04
		815	0	2	23
		816	0	0	47
		817	0	4	64
		818	0	0	20
		821	0	17	17
		822	0	0	20
		823	0	1	16
		824	0	1	11
		866	0	0	60
मल्लिक चक	20	178	0	3	53
		179	0	1	49
		180	0	0	73
		181	0	5	85
		182	0	4	08
		185	0	0	20
		186	0	3	06
		187	0	7	43
		188	0	5	94
		189	0	2	88
		219	0	2	88
		310	0	0	20
		316	0	0	28
		317	0	1	30
		318	0	1	86
		319	0	2	23
		320	0	2	23

1	2	3	4	5	6
		321	0	0	20
		322	0	1	21
		323	0	4	55
		324	0	0	20
		326	0	2	32
		327	0	3	16
		328	0	5	85
		332	0	0	28
		333	0	2	23
		334	0	6	77
		335	0	0	20
		336	0	0	20
		353	0	0	20
		354	0	9	56
		355	0	0	42
		457	0	0	56
		477	0	5	01
चक बड़चबेरिया	19	50	0	0	83
		83	0	0	20
		89	0	0	70
		90	0	5	01
		91	0	0	20
		93	0	0	20
		94	0	8	91
		95	0	0	20
		96	0	3	71
		97	0	3	34
		98	0	0	37
		140	0	6	68
		141	0	2	41
		142	0	0	83
		143	0	0	23
		149	0	6	50
		150	0	0	20
		166	0	1	58
		167	0	5	38
		174	0	7	98
		178	0	4	55
		179	0	3	44
		180	0	1	21
		181	0	1	39
		183	0	3	71
		248	0	0	65
		426	0	1	81
		457	0	2	04
		476	0	1	76
		495	0	0	37
		496	0	1	39
चक चांदपोता	18	313	0	0	20
		316	0	5	83

1	2	3	4	5	6
		317	0	0	63
		322	0	3	12
		323	0	1	91
		324	0	4	88
		325	0	3	03
		326	0	3	40
		327	0	5	57
		328	0	3	00
		889	0	2	23
		891	0	0	53
		892	0	8	41
		893	0	1	19
		894	0	9	61
		895	0	3	39
		907	0	1	21
		953	0	9	84
		955	0	9	84
		958	0	1	17
		959	0	0	35
		960	0	6	32
		961	0	9	89
		962	0	0	20
		963	0	6	13
		1036	0	2	65
		1037	0	2	18
		1038	0	0	83
		1063	0	0	32
		1064	0	7	98
		1065	0	4	65
		1066	0	4	74
		1068	0	13	89
		1078	0	1	21
		1082	0	0	32
		1084	0	6	06
		1085	0	5	91
बश्चबेरिया	17	1	0	1	11
		2	0	4	34
		58	0	0	20
		59	0	0	20
		60	0	3	55
		61	0	4	18
		62	0	0	79
		64	0	0	20
		68	0	1	36
		69	0	0	93
		70	0	1	39
		71	0	4	18
		72	0	3	83
		74	0	0	37
		75	0	1	53
		76	0	4	46

1	2	3	4	5	6
		77	0	1	39
		78	0	8	91
		99	0	5	29
		100	0	4	83
		101	0	4	83
		120	0	3	81
		121	0	3	48
		125	0	10	33
		135	0	1	10
		136	0	0	79
		146	0	0	20
		147	0	6	06
		148	0	3	90
		179	0	6	50
		180	0	6	04
		181	0	4	18
		208	0	1	14
		209	0	0	76
		210	0	0	42
		211	0	0	26
		1285	0	0	28
		1286	0	3	55
		1287	0	2	14
		1288	0	0	37
		1291	0	4	32
		1292	0	4	55
		1294	0	7	24
		1302	0	2	30
		1304	0	3	34
		1305	0	2	51
		1306	0	3	34
		1307	0	1	81
		1315	0	2	11
		1340	0	4	09
		1341	0	4	91
		1345	0	4	87
		1346	0	0	47
		1639	0	0	23

1	2	3	4	5	6
		1640	0	8	40
		1641	0	1	67
		1654	0	1	53
		1658	0	0	20
		1657	0	4	74
		1659	0	1	81
		1662	0	5	01
		1665	0	1	11
		1666	0	5	29
		1667	0	2	09
		1669	0	8	08
		1670	0	1	39
		1674	0	2	04
		1690	0	5	22
		1691	0	3	90
		1695	0	1	49
		1696	0	3	71
		1697	0	1	93
		1698	0	1	70
		1699	0	3	99
		1700	0	4	04
		1702	0	1	79
		1707	0	7	80
		1804	0	1	39
		2217	0	0	53
		2470	0	1	72
		2488	0	0	92
		2606	0	2	65

[संख्या - आर - 31015 /3/ 2000 - ओ आर - I]

एस चन्द्रशेखर, अवर सचिव

New Delhi, the 24th January, 2001

S. O. 145.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 300 dated 28th January, 2000, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Haldia in the State of West Bengal to Barauni in the State of Bihar by Indian Oil Corporation Limited;

And whereas, the copies of the said notification were made available to the public on 15.02.2000;

And whereas, the competent authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule to this notification are hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances

Schedule					
Police Station	Nandakumar	District . Midnapur		State . West Bengal	
Village	Jurisdiction List No.	Plot. No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
Kalyanpur	125	3	0	0	70
		369	0	2	36
		386	0	0	20
		387	0	3	13
		388	0	3	53
		390	0	4	18
		391	0	0	83
		392	0	8	45
		393	0	4	39
		487	0	3	88
		489	0	9	93
		490	0	0	32
		493	0	3	23
		496	0	3	24
		497	0	1	16
		498	0	2	37
		499	0	1	45
		500	0	0	25
		501	0	5	63
		502	0	7	04
		510	0	1	95
		636	0	0	20
		637	0	3	00
		638	0	3	86
		639	0	0	23
		640	0	2	16
		641	0	0	20
		649	0	8	63
		650	0	1	74
		651	0	0	20
		1329	0	2	33
		1378	0	6	00
		1384	0	3	34
		1385	0	0	20
		1386	0	2	29
		1387	0	0	20
		1388	0	3	44
		1443	0	3	15
		1444	0	2	53
		1445	0	4	21
		1446	0	3	04
		1451	0	6	03
		1452	0	0	23
		1457	0	5	65
		1458	0	0	20
		1459	0	1	19
		1460	0	1	72
		1461	0	1	70

1	2	3	4	5	6
		1462	0	1	05
		1481	0	0	20
		1482	0	0	47
		1483	0	3	19
		1486	0	0	20
		1487	0	1	14
		1489	0	2	29
		1490	0	1	11
		1492	0	4	61
		1493	0	0	42
		1494	0	3	52
		1508	0	0	20
		1509	0	17	82
		1510	0	0	20
		1511	0	11	42
		1512	0	0	85
		1514	0	0	28
		1519	0	2	62
		1520	0	1	13
		1521	0	3	62
		1925	0	0	91
		2094	0	8	71
		2095	0	2	09
		2096	0	0	20
		2097	0	0	20
		2098	0	1	07
		2099	0	3	19
		2100	0	1	62
		2105	0	9	86
		2106	0	0	57
		2107	0	3	92
		2108	0	5	71
		2110	0	0	56
		2161	0	9	19
		2162	0	0	47
		2163	0	2	63
		2164	0	5	97
		2165	0	0	67
		2168	0	0	20
		2607	0	5	76
		2611	0	0	98
		2612	0	0	20
		2613	0	7	15
		2614	0	2	42
		2615	0	0	24
		2618	0	0	20
		2630	0	3	90
		2631	0	0	70
		2632	0	6	85
		2633	0	5	52
		2634	0	1	39
		2635	0	6	07

1	2	3	4	5	6
		2674	0	0	20
		2683	0	0	20
		2684	0	0	20
		2688	0	4	48
		2689	0	2	04
		2692	0	1	90
		2693	0	2	08
		2694	0	3	53
		2695	0	1	86
		2696	0	0	20
		2697	0	6	10
		2698	0	0	49
		2699	0	2	69
		2706	0	2	72
		2707	0	2	53
		2708	0	2	88
		2709	0	0	77
		2710	0	1	33
		2717	0	1	16
		2718	0	1	51
		3674	0	3	29
Madhabpur	122	168	0	1	86
		169	0	1	67
		170	0	1	67
		202	0	5	75
		210	0	9	47
		213	0	1	76
		214	0	1	90
		215	0	1	30
		216	0	1	58
		217	0	0	83
		220	0	0	58
		221	0	5	85
		222	0	7	43
		248	0	0	35
		249	0	0	20
		250	0	11	98
		251	0	1	24
		257	0	18	19
		300	0	5	20
		301	0	13	04
		302	0	0	69
		307	0	5	86
		308	0	3	76
		309	0	3	90
		310	0	0	20
		311	0	0	20
		338	0	1	00
		339	0	3	90
		340	0	0	43
		342	0	4	64

1	2	3	4	5	6
		343	0	3	42
		370	0	3	06
		371	0	1	05
		372	0	1	30
		373	0	0	67
		374	0	0	65
		375	0	0	21
		377	0	0	93
		378	0	20	42
		379	0	9	73
		381	0	0	71
		382	0	5	57
		384	0	0	20
		385	0	6	50
		3087	0	0	20
		3082	0	5	10
		3092	0	1	39
		3094	0	0	20
		3095	0	0	20
		3096	0	0	37
Sandalpur	121	881	0	0	20
		882	0	10	30
		883	0	0	23
		886	0	3	11
		887	0	10	45
		888	0	0	20
		917	0	2	15
		918	0	6	27
		919	0	5	79
		920	0	1	80
		925	0	3	62
		926	0	13	44
		928	0	0	56
		929	0	0	20
		931	0	7	78
		932	0	2	08
		933	0	1	38
		936	0	0	32
		1062	0	01	36
		1063	0	0	28
		1064	0	0	39
		1066	0	1	67
		1075	0	0	20
		1077	0	3	84
		1078	0	9	49
		1079	0	6	03
		1082	0	7	26
		1085	0	11	70
		1087	0	3	16
		1088	0	2	95
		1089	0	4	18

1	2	3	4	5	6
		1131	0	0	20
		1132	0	6	77
		1135	0	8	35
		1136	0	9	19
		1144	0	1	74
		1145	0	1	61
		1237	0	4	97
		1238	0	8	91
		1241	0	7	05
		1242	0	0	99
		1243	0	2	04
		1244	0	5	16
		1245	0	0	37
		1246	0	7	44
		1247	0	0	20
		1252	0	2	82
		1254	0	0	57
		1259	0	4	09
		1273	0	0	20
		1274	0	1	95
		1275	0	7	24
		1278	0	6	31
		1281	0	5	38
		1550	0	0	23
		1560	0	12	34
		1565	0	13	65
		1566	0	5	48
		1602	0	16	24
		1607	0	8	82
		1611	0	4	55
		1612	0	4	18
		1616	0	6	41
		1617	0	0	20
		1781	0	3	02
		1782	0	0	43
		1785	0	1	39
		1786	0	2	47
		1787	0	1	72
		1790	0	2	23
		1806	0	1	95
		1807	0	1	67
		1808	0	0	98
		1854	0	6	13
		1860	0	1	97
		1865	0	1	10
		1866	0	0	91
		1867	0	1	11
Sitalpur	71	1868	0	0	52
		1870	0	0	47
		1872	0	6	96
		1873	0	3	25

1	2	3	4	5	6
		1874	0	2	23
		1875	0	3	70
		2693	0	1	86
		2694	0	2	78
		2695	0	13	31
		2722	0	1	95
Bhabanipur	73	87	0	0	67
		88	0	8	26
		89	0	0	23
		90	0	1	58
		91	0	0	20
		94	0	0	20
		95	0	7	15
		96	0	5	94
		97	0	0	20
		104	0	4	09
		105	0	2	79
		108	0	0	83
		118	0	1	49
		120	0	1	49
		121	0	3	06
		122	0	7	24
		123	0	0	20
		124	0	9	29
		128	0	2	32
		141	0	0	20
		151	0	0	93
		152	0	2	32
		153	0	4	64
		154	0	4	09
		155	0	2	97
		156	0	3	34
		157	0	0	20
		167	0	6	50
		168	0	0	83
		169	0	1	07
		170	0	0	92
		221	0	17	64
		239	0	0	20
		240	0	2	79
		241	0	0	40
		242	0	12	26
		243	0	0	23
		244	0	0	74
		245	0	1	49
		634	0	1	11
		645	0	16	71
		646	0	1	39
		647	0	7	52
		648	0	0	93
		650	0	8	17

1	2	3	4	5	6
		651	0	7	24
		652	0	1	67
		655	0	2	79
		657	0	1	67
		1007	0	0	20
		1011	0	0	20
		1012	0	7	24
		1013	0	7	80
		1031	0	0	72
		1052	0	1	11
		1053	0	0	20
		1054	0	3	71
		1055	0	2	51
		1056	0	1	39
		1057	0	3	62
		1058	0	3	17
		1059	0	5	57
		1074	0	0	20
		1082	0	3	06
		1086	0	0	43
		1087	0	3	71
		1088	0	0	23
		1089	0	0	50
		1090	0	5	57
		1091	0	0	20
		1095	0	11	14
		1096	0	3	53
		1097	0	14	49
		1617	0	0	20
		1618	0	3	71
		1619	0	3	34
		1620	0	2	97
		1621	0	3	06
		1622	0	0	20
		1623	0	3	71
		1624	0	2	40
		1625	0	0	23
		1627	0	0	20
		1628	0	2	69
		1629	0	4	55
		1630	0	0	70
		1631	0	4	27
		1632	0	2	60
		1633	0	2	32
		1634	0	2	70
		1635	0	0	20
		1636	0	0	54
		1649	0	0	20
		1651	0	0	48
		1682	0	5	13
		1683	0	5	20
		1692	0	0	90

1	2	3	4	5	6
		1693	0	2	14
		1694	0	3	25
		1695	0	3	62
		1696	0	-	60
		1557	0	2	11
		1698	0	1	39
		1699	0	2	78
		1701	0	0	28
		1724	0	12	27
		1727	0	0	1
		1728	0	8	5
		1729	0	2	04
		1730	0	1	44
		1732	0	5	48
		2070	0	3	34
		2071	0	2	86
		2072	0	2	51
		2116	0	1	21
		2119	0	7	98
		2121	0	4	46
		2166	0	1	21
		2219	0	0	63
		2220	0	1	77
Kalyanchak	72	1164	0	16	89
		1168	0	1	00
		1195	0	4	64
		1198	0	4	64
		1199	0	2	23
		1202	0	5	66
		1203	0	6	68
		1205	0	9	47
		1206	0	11	88
		1211	0	0	52
		1238	0	0	96
Shayam Sunder Pur	74	62	0	6	68
		63	0	2	65
		152	0	2	32
		153	0	5	10
		154	0	0	91
		155	0	7	05
		157	0	1	26
		158	0	6	87
		159	0	2	04
		164	0	1	95
		165	0	11	14
		197	0	0	42
		301	0	9	47
		302	0	4	27
		303	0	5	85
		321	0	1	32

1	2	3	4	5	6
		322	0	6	87
		326	0	5	85
		327	0	7	43
		328	0	4	18
		329	0	5	10
		330	0	0	83
		335	0	0	32
		336	0	7	24
		791	0	1	95
		792	0	1	11
		798	0	2	32
		895	0	3	34
		896	0	0	65
		897	0	6	49
		898	0	0	83
		900	0	0	83
		901	0	21	05
		902	0	2	81
		903	0	2	09
		904	0	1	56
		905	0	0	35
		908	0	9	19
		913	0	0	65
		931	0	3	90
		932	0	0	74
		934	0	3	80
		935	0	0	98
		970	0	0	83
Thakur Chak	75	2	0	1	11
		5	0	0	83
		13	0	0	56
		17	0	0	63
		18	0	3	16
		19	0	5	75
		22	0	8	35
		23	0	1	11
		26	0	1	11
		45	0	23	95
		46	0	0	56
		77	0	8	17
		78	0	9	28
		79	0	0	24
		168	0	1	53
		169	0	9	93
		183	0	7	43
		184	0	1	18
		191	0	6	96
		192	0	6	68
		193	0	0	98
		194	0	3	34
		195	0	5	78

1	2	3	4	5	6
		432	0	0	98
		463	0	3	34
		464	0	1	89
		465	0	11	51
		466	0	3	62
		467	0	16	24
		473	0	11	04
		476	0	0	20
		477	0	0	20
		478	0	0	20
		483	0	0	74
		484	0	7	80
		486	0	2	60
		488	0	1	67
		489	0	6	03
		490	0	0	83
		491	0	6	03
		564	0	10	95
		566	0	11	14
		567	0	6	03
		572	0	2	78
Rajanagar	68	2570	0	0	28
		2571	0	2	78
		2574	0	4	55
		2576	0	2	32
		2577	0	1	86
		2578	0	0	20
		2579	0	5	57
		2584	0	6	03
		2587	0	6	50
		2588	0	1	25
Pandab Basan	65	1	0	0	65
		2	0	1	02
		157	0	6	03
		158	0	4	46
		159	0	1	21
		161	0	2	23
		162	0	8	35
		164	0	10	02
		165	0	3	80
		185	0	6	22
		186	0	0	20
		187	0	0	76
		188	0	4	46
		189	0	2	20
		190	0	0	54
		191	0	0	70
		200	0	12	90
		206	0	3	71
		208	0	3	39

1	2	3	4	5	6
		210	0	0	83
		211	0	0	23
		212	0	2	32
		213	0	3	90
		215	0	2	83
		257	0	6	38
		258	0	8	91
		292	0	2	38
		298	0	0	83
		299	0	6	08
		300	0	4	73
		304	0	10	02
		305	0	5	38
		309	0	6	26
		349	0	0	70
		350	0	0	65
		351	0	0	20
		354	0	1	18
		355	0	5	85
		356	0	5	20
		357	0	3	99
		358	0	0	25
		380	0	1	25
Dakshin Damodarpur	28	90	0	0	20
		95	0	1	49
		97	0	11	70
		99	0	2	09
		100	0	2	46
		102	0	5	85
		115	0	4	27
		116	0	5	38
		117	0	7	05
		125	0	0	28
		126	0	4	73
		127	0	0	20
		128	0	10	21
		129	0	0	28
		130	0	4	73
		132	0	0	65
		137	0	4	59
		138	0	0	42
		139	0	15	78
		140	0	0	20
		338	0	0	98
		350	0	0	83
		351	0	3	06
		352	0	3	76
		353	0	5	38
		354	0	0	73
		355	0	7	43
		356	0	4	08

1	2	3	4	5	6
		359	0	0	29
		360	0	4	83
		361	0	2	09
		371	0	4	83
		651	0	0	83
		652	0	0	65
		710	0	2	23
		718	0	0	47
		719	0	3	48
		720	0	0	20
		721	0	3	34
		722	0	8	91
		723	0	13	92
		724	0	0	20
		1422	0	2	51
		1423	0	0	20
		1426	0	11	98
		1427	0	4	83
		1428	0	6	03
		1433	0	0	20
		1434	0	1	53
		1459	0	0	74
		1460	0	5	57
		1471	0	2	25
		1472	0	1	49
		1473	0	5	38
		1474	0	1	49
		1476	0	3	48
		1477	0	5	57
		1478	0	0	20
		1511	0	1	30
		1512	0	0	20
		1641	0	0	70
		1642	0	1	25
Chak Shimulya	14	414	0	0	35
		452	0	5	38
		453	0	0	56
		454	0	0	22
		455	0	12	72
		456	0	5	57
		510	0	0	37
		511	0	0	37
		512	0	1	89
		513	0	1	86
		514	0	2	78
		515	0	2	23
		516	0	2	51
		517	0	2	41
		518	0	3	53
		523	0	6	68
		524	0	1	53

1	2	3	4	5	6
		526	0	0	47
		527	0	0	20
		528	0	0	20
		530	0	0	20
		535	0	6	77
		536	0	8	54
		537	0	3	80
		543	0	9	28
		544	0	7	89
		550	0	0	42
		551	0	0	20
		552	0	0	20
		605	0	0	20
		1297	0	0	83
Nachhipur	27	10	0	5	57
		11	0	11	70
		12	0	1	21
		13	0	1	11
		25	0	1	21
		26	0	6	50
		31	0	0	23
		32	0	8	54
		33	0	5	10
		43	0	8	96
		44	0	8	54
		49	0	0	35
		52	0	1	21
		53	0	2	69
		56	0	5	20
		57	0	7	71
		60	0	1	86
		61	0	3	80
		62	0	11	51
		253	0	0	62
		596	0	5	75
Mahishgot	21	1	0	0	56
		66	0	2	41
		77	0	1	76
		80	0	2	78
		81	0	2	32
		214	0	0	63
		215	0	5	43
		216	0	3	00
		217	0	2	78
		223	0	1	86
		226	0	7	98
		227	0	4	18
		228	0	6	96
		229	0	5	15
		230	0	0	65

1	2	3	4	5	6
		233	0	2	00
		253	0	1	49
		256	0	3	76
		257	0	1	86
		258	0	7	89
		259	0	0	20
		260	0	2	51
		261	0	4	92
		262	0	4	73
		263	0	1	21
		264	0	9	28
		265	0	0	20
		336	0	5	85
		337	0	0	47
		338	0	4	64
		339	0	4	83
		791	0	15	31
		792	0	0	20
		802	0	0	20
		803	0	7	15
		804	0	7	05
		806	0	0	20
		807	0	5	20
		808	0	6	31
		814	0	2	04
		815	0	2	23
		816	0	0	47
		817	0	4	64
		818	0	0	20
		821	0	17	17
		822	0	0	20
		823	0	1	16
		824	0	1	11
		866	0	0	60
Mallik Chak	20	178	0	3	53
		179	0	1	49
		180	0	0	73
		181	0	5	85
		182	0	4	08
		185	0	0	20
		186	0	3	06
		187	0	7	43
		188	0	5	94
		189	0	2	88
		219	0	2	88
		310	0	0	20
		316	0	0	28
		317	0	1	30
		318	0	1	86
		319	0	2	23
		320	0	2	23

1	2	3	4	5	6
		321	0	0	20
		322	0	1	21
		323	0	4	55
		324	0	0	20
		326	0	2	32
		327	0	3	16
		328	0	5	85
		332	0	0	28
		333	0	2	23
		334	0	6	77
		335	0	0	20
		336	0	0	20
		353	0	0	20
		354	0	9	56
		355	0	0	42
		457	0	0	56
		477	0	5	01
Chak Baichbere	19	50	0	0	83
		83	0	0	20
		89	0	0	70
		90	0	5	01
		91	0	0	20
		93	0	0	20
		94	0	8	91
		95	0	0	20
		96	0	3	71
		97	0	3	34
		98	0	0	37
		140	0	6	68
		141	0	2	41
		142	0	0	83
		143	0	0	23
		149	0	6	50
		150	0	0	20
		166	0	1	58
		167	0	5	38
		174	0	7	98
		178	0	4	55
		179	0	3	44
		180	0	1	21
		181	0	1	39
		183	0	3	71
		248	0	0	65
		426	0	1	81
		457	0	2	04
		476	0	1	76
		495	0	0	37
		496	0	1	39
Chak Chandpota	18	313	0	0	20
		316	0	5	83

1	2	3	4	5	6
		317	0	0	63
		322	0	3	12
		323	0	1	91
		324	0	4	88
		325	0	3	03
		326	0	3	40
		327	0	5	57
		328	0	3	00
		889	0	2	23
		891	0	0	53
		892	0	8	41
		893	0	1	19
		894	0	9	61
		895	0	3	39
		907	0	1	21
		953	0	9	84
		955	0	9	84
		958	0	1	17
		959	0	0	35
		960	0	6	32
		961	0	9	89
		962	0	0	20
		963	0	6	13
		1036	0	2	65
		1037	0	2	18
		1038	0	0	83
		1063	0	0	32
		1064	0	7	98
		1065	0	4	65
		1066	0	4	74
		1068	0	13	89
		1078	0	1	21
		1082	0	0	32
		1084	0	6	06
		1085	0	5	91
Eaich Berya	17	1	0	1	11
		2	0	4	34
		58	0	0	20
		59	0	0	20
		60	0	3	55
		61	0	4	18
		62	0	0	79
		64	0	0	20
		68	0	1	36
		69	0	0	93
		70	0	1	39
		71	0	4	18
		72	0	3	83
		74	0	0	37
		75	0	1	53
		76	0	4	46

1	2	3	4	5	6
		77	0	1	39
		78	0	8	91
		99	0	5	29
		100	0	4	83
		101	0	4	83
		120	0	3	81
		121	0	3	48
		125	0	10	33
		135	0	1	10
		136	0	0	79
		146	0	0	20
		147	0	8	06
		148	0	3	90
		179	0	6	50
		180	0	6	04
		181	0	4	18
		208	0	1	14
		209	0	0	76
		210	0	0	42
		211	0	0	26
		1285	0	0	28
		1286	0	3	55
		1287	0	2	14
		1288	0	0	37
		1291	0	4	32
		1292	0	4	55
		1294	0	7	24
		1302	0	2	30
		1304	0	3	34
		1305	0	2	51
		1306	0	3	34
		1307	0	1	81
		1315	0	2	11
		1340	0	4	09
		1341	0	4	91

1	2	3	4	5	6
		1345	0	4	87
		1346	0	0	47
		1639	0	0	23
		1640	0	8	40
		1641	0	1	67
		1654	0	1	53
		1656	0	0	20
		1657	0	4	74
		1659	0	1	81
		1662	0	5	01
		1665	0	1	11
		1666	0	5	29
		1667	0	2	09
		1669	0	8	08
		1670	0	1	39
		1674	0	2	04
		1690	0	5	22
		1691	0	3	90
		1695	0	1	49
		1696	0	3	71
		1697	0	1	93
		1698	0	1	70
		1699	0	3	99
		1700	0	4	04
		1702	0	1	79
		1707	0	7	80
		1804	0	1	39
		2217	0	0	53
		2470	0	1	72
		2488	0	0	92
		2606	0	2	FE

[NO R - 31015 /3/ 2000 - OR
S Chandrasekhar Under Ser

श्रम मंत्रालय

नई दिल्ली, 2 जनवरी, 2001

का. आ. 146—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट के प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[सं. एल-12012/29/99-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 2nd January, 2001

S.O. 146.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 22nd December, 2000.

[No. L-12012/29/99-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SRI R. P. PANDEY, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SARVODAYA NAGAR, KANPUR

Industrial Dispute No. 128 of 1999

In the matter of dispute between—

Punjab National Bank Employees' Union
The President PNBEU,
13-A Keshavkunj Pratap Nagar,
Agra.

AND

The Zonal Manager,
Punjab National Bank
Zonal Office, Agra.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/29/99-IR(B-II) dated 12-6-98, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Regional Manager, Punjab National Bank, Agra in not promoting the workman Sh. Satish Kumar from 1992 is

legal and justified ? If not, what relief the workman is entitled ?

2. In the instant case after receipt of the registered notices sent by this tribunal at the address of the union raising the present dispute, claim statement on behalf of the workman was filed by the Union. The present case was also represented by the authorised representative for the union on several dates but before the reply of the management could be filed the authorised representative for the union raising the present dispute made statement before the tribunal that he does not want to press the present dispute, and made an endorsement to the same effect on the settlement of claim.

3. In view of his above statement I have no option but to hold that the concerned workman is not entitled for any relief as the present claim is not being pressed by the Union.

4. Reference is answered accordingly, against the workman.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 2 जनवरी, 2001

का. आ. 147—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[सं. एल-12012/159/99-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 2nd January, 2001

S.O. 147.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 22nd December, 2000.

[No. L-12012/159/99-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, LUCKNOW

Presiding Officer : Rudresh Kumar

ADJUDICATION

BETWEEN :

Suresh Kumar Kashyap
S/o Late Madan Lal
Khadra (Near Ramlila Ground)
Hasanganj, Lucknow

AND

Asstt. General Manager
Bank of India
1. Shahnazaf Road,
Hazratganj, Lucknow

AWARD

By reference No. L-12012/159/99-IR(B-I) dated 29-9-1999, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) of Section 10 I.D. Act, 1947 made over this industrial dispute between S. K. Kashyap S/o Late Madan Lal and Asstt. General Manager, Bank of India, 1, Shahnazaf Road, Lucknow for adjudication. The reference is re-produced as under :

“Whether the action of the Management of Bank of India in dismissing the services of Shri S. K. Kashyap sub-staff was legal and justified ? If not what relief, the workman is entitled to ?”

1. Two Demand Draft leaves numbering 9638 and 9926, stolen from Sarojini Nagar branch of the Bank of India were forged and encashed at Rajpura Township branch on 10-4-1991 and Bareilly branch on 26-9-1991, causing loss to the bank for Rs. 1,00,000 and Rs. 7,00,000 respectively. The management was not aware of these forgeries and encashments. Later, efforts were made and the bank succeeded in recovery of Rs. 7,35,000 leaving the bank to suffer loss of Rs. 65,000 only.

2. Management initiated enquiry in this episode by its Specialist Investigating Officer B. P. Tewari under supervision of T. K. Chaudhary, Chief Manager and head of the vigilance branch. During this enquiry, needle of suspicion pointed towards S. K. Kashyap, a sub-staff/class IV employee, posted at Sarojini Nagar branch of the Bank. S.K. Kashyap was vigorously questioned by the bank authorities and the management found him involved with H. K. Gautam and one outsider N.K. Singh. He was proceeded departmentally and later dismissed from service.

3. Following charges were formed against the workman by Deputy Zonal Manager by order dated 7-7-1997, alleging that the such conduct of the workman was in breach of clause 19.5 (j) of Bipartite settlement.

आरोप

- (अ) सरोजनी नगर शाखा में 2 मार्च, 1991 की सुबह बैंक व्यवसाय से पहले जब सफाई का कार्य प्रगति पर था और उस समय जब वहां कोई उपस्थित नहीं था आपने श्री एच. के. गौतम, जो कि बैंक की दूसरी शाखा के कर्मचारी थे, को श्री एन. के. सिंह जो उनके परिचित थे तथा कूटरचयिता थे, के साथ शाखा परिसर में श्रद्धा देने दिया।
- (ब) श्री कमलेश दीवान, सहायक प्रबन्धक की टेबल के ड्रावर जिसमें डिमांड ड्राफ्ट की किताब रखी हुयी थी आप तीनों ने मिलकर आपके द्वारा उपलब्ध कराई गई चाबी से खोला।
- (स) आपने श्री एच. के. गौतम के साथ उक्त मेज की दराज में रखी डिमांड ड्राफ्ट की किताब में से कुछ पन्ने निकाले और श्री एन. के. सिंह को धोखाधड़ी करने के लिए दे दिया।
- (द) उक्त प्राप्त डिमांड ड्राफ्ट के पन्नों में से एक पन्ना जिस पर संख्या 9638 अंकित थी, को श्री एन. के. सिंह ने रु. 1 लाख के लिए मैसर्स विश्वकर्मा मशीन टूल्स के पक्ष में दिनांक 10-4-91 का जाली डिमांड ड्राफ्ट बना दिया। उक्त डिमांड ड्राफ्ट को सरोजनी नगर शाखा द्वारा जारी बताया गया था तथा यह राजपुरा टाऊनशिप शाखा पर देय था। इस तरह राजपुरा टाऊनशिप शाखा पर धोखाधड़ी की गई।
- (ई) दूसरा सादा डिमांड ड्राफ्ट संख्या 9926 को दिनांक 26-9-1991 का रु. 7 लाख के लिए मैसर्स चुन्नीलाल फूलसिंह के नाम से जाली डिमांड ड्राफ्ट बना दिया गया। उक्त डिमांड ड्राफ्ट सरोजनी नगर शाखा द्वारा जारी बताया गया तथा बरेली शाखा पर देय था इस तरह बरेली शाखा पर धोखाधड़ी की गई। आपने अपने बयान दिनांक 26-11-91 तथा पूरक बयान दिनांक 12-12-91 में उपरोक्त तथ्यों को स्वीकार किया है।

4. Factual details, emerging from pleadings of the parties and documents relied by them, reveal that one Hari Kant Gautam, a former Cashier-cum-Clerk of the Sarojini Nagar branch, posted at Kumhrawan branch at the relevant time, had been in jail for a considerable period. During detention, he developed close contact with one N. K. Singh alias Arvind Kumar Saxena alias Arvind Kumar Nigam and alias S. N. Mehrotra. Both of them entered into conspiracy alongwith the workman S. K. Kashyap, a sub staff, attached with cash office in Sarojini Nagar branch. In prosecution of the

common object, five blank Demand Draft leaves were removed by them. S. K. Kashyap was actively involved in making available keys of the drawer in which unused Demand Draft Books were kept by the Asstt. Manager, Kamlesh Dewan. S. K. Kashyap was aware that the key of the drawer was used to be kept in another drawer of the table. Likewise, H. K. Gautam was also familiar with the workings and practices followed in the said branch.

5. Earlier, during their posting at Sarojini Nagar branch, H. K. Gautam and S. K. Kashyap had developed intimacy. Both were liquor addicts. The workman was also used to be financially assisted by H. K. Gautam. In the first week of March 1991 (2-3-1991) around 9.00 A.M., H. K. Gautam accompanied with N. K. Singh arrived in the bank premises. S. K. Kashyap was present from before. He took out the keys from the table drawer of Kamlesh Dewan and opened the lock of the other drawer in which unused Demand Draft Books were kept, and assisted H. K. Gautam in taking away unused leaves bearing Sl. No. 0009638 from the current Demand Draft Book, and three more leaves bearing Nos. 907500 (MICR ND) 903932 (DDN Bombay and 9926. Later, only two stolen leaves could be forged and used in cheating the bank, as mentioned earlier.

6. During the investigation by the Specialist Investigation Officer, B. P. Tewari, it was noticed that one of the persons involved must have been a left hander. On this premise, needle of suspicion pointed towards S. K. Kashyap who alone was a left hander in the Sarojini Nagar branch at that time. S. K. Kashyap was interrogated by B. P. Tewari, Specialist Investigating Officer, in presence of T. K. Chaudhary, Chief Manager and Vigilance Officer. Initially, he denied his involvement and got angry but later, when informed about available evidence and circumstances against him, he softened and volunteered to make confession. T. K. Chaudhary, Chief Manager-cum-Vigilance Officer, cautioned him to make self inculpatory statement only after more thought and not to confess in haste, as the same could be used against him and advised him to come after 3-4 days. The workman S. K. Kashyap left the office. However, he arrived after few days and volunteered to make true confession, being mindful that this course could save him from police action.

7. He himself wrote his confessional statement in replies to questions provided by B. P. Tewari, and admitted his complicity in removal of three leaves and acceptance of Rs. 5000 as consideration. All details as to manner of theft and his role were given by him.

8. On the basis of this confession and attending circumstances, S. K. Kashyap together with N. K. Singh and H. K. Gautam were held involved in theft of blank Demand Draft leaves, and forgery etc. Also, Kamlesh Dewan, P. K. Pandey, Satish Chand Batra and Sanjay Lakara held negligent in discharging their respective duties. Thus, the Investigating authorities, recommended handing over the case to CBI by letter No. VIG/UP/934/554 dated 26-12-1991. Also, management was asked to suspend H. K. Gautam, and to post S. K. Kashyap in non sensitive area. This was primarily because the investigating authorities desired leniency in his case, for reason of his cooperation in revealing truth, and helping in solving the incident.

9. The management waited CBI action for about 6 years. Ultimately, the CBI declined to investigate the case on plea that the amount involved in this case was less than Rs. 10.00 lakhs as stated by MW-3 H. Rehman. Industrial Relation Officer, Bank of India. H. K. Gautam was charged cheated but in some other case, he was removed from service so further enquiry could not be pursued. However, an administrative enquiry was initiated against the workman S. K. Kashyap in which he was held guilty and dismissed from service. Being aggrieved, this industrial dispute has been raised by him.

10. On fairness of the domestic enquiry, this Tribunal heard parties and came to conclusion by order dated 14-3-2000, holding domestic enquiry defective one. Then after the management desired to adduce fresh evidence before the Tribunal to substantiate charges and justify punishment order. As many as nine documents mentioned in application dated 5-4-2000, were relied by the management in domestic enquiry. Details of these documents would

be discussed at appropriate stage. Management also examined MW-1, T. K. Chaudhry, MW-2 Kamlesh Dewan, MW-3 H. Rehman, MW-4 Raj Bahadur and MW-5 R. N. Gupta. All these five witnesses were cross examined by Mr. A. C. Gupta A/R of the workman. S. K. Kashyap also appeared as a witness to make the records straight and to explain adverse circumstances. Initially, the defence desired to examine former Specialist Investigating Officer B. P. Tewari but later dropped him as defence witness.

11. Before adverting to discuss and evaluate quality of evidence, it seems appropriate to mention that in enquiry like this, the standard of proof is not so stringent as in criminal offences. If totality of facts and circumstances bring out a case of reasonably proved doubt against the workman, he can be safely held guilty of misconduct.

12. The edifice of the management story is founded on confession of S. K. Kashyap. If management's oral evidence coupled with attending circumstances, prove true and voluntarily disclosure, the management may succeed. Thus, self inculpatory statement of the workman needs critical scrutiny. In the instant case, the management derived knowledge of forgery, months later, after the cheatings materialised. The self inculpatory statement disclosed involvement of H. K. Gautam, N. K. Singh beside the workman. N. K. Singh was an outsider and could not be proceeded departmentally. Likewise, H. K. Gautam ceased to be in service and domestic enquiry dropped. S. K. Kashyap alone could be punished. It has come in evidence that Kamlesh Dewan was also issued charge-sheet for his negligence in this case but discussion of charges against him is not appropriate, being beyond the scope of this reference.

13. Two charges (d) and (e) are not directly related to the workman, but consequences of his complicity in removal of blank leaves. Factum of cheatings resulting in loss to the bank are not denied. However, charges (a) to (c) related to incident having taken place on 2-3-1991, in which the workman had allegedly played major role. If the complicity of the workman is proved, inescapable conclusion would be against him.

14. As the management story goes, one of the removed leaves pointed involvement of a left hander. Undeniably, S. K. Kashyap was the only left hander at the branch, at the relevant time. MW-1 T. K. Chaudhary, categorically has stated as how suspicion arose against the workman, a left hander, a liquor addict and his having close intimacy with H. K. Gautam. There is no suggestion by defence that removal of the said leaf could be by a right hander also. These circumstances indicate involvement of the workman, in absence of any contrary version.

15. MW-1 T. K. Chaudhry further stated that the workman S. K. Kashyap had arrived in his office, three-four days before and desired to make confessional statement. He was asked to give fresh thought and to come later, as his confession could recoil and harm him. This fact is also stated by MW-4 Raj Bahadur. Above facts have not been denied by defence and can be accepted as proved. This gesture of MW-1 indicates that he was not prejudiced against the workman and was also not in hurry to record his confession. He took precautions to warn the workman, desiring him to confess after another thought. MW-1 honestly stated that at the time making confession, the workman was apprehensive of police action. Whether this thought in the mind of the workman was not material in view of circumstances against him, is needed to be seen.

16. The workman, S. K. Kashyap, appearing as defence witness revealed before this Tribunal, of having been threatened by MW-1 and calling of police on phone. This fact does not find reference in claim statement or any other document. This plea was taken for the first time and, so, apparently is an after thought. If above two versions one by MW-1 and other by DW-1 be scrutinised, it is evident that MW-1 made truthful statement and defence came with a new version. In fact, there were no threats compelling the workman to make confession. Had it not been so, MW-1 could not have cautioned him earlier and asked to come later. The circumstances indicate that the workman was driven by the adverse circumstances, and was keen to seek protection by rendering cooperation in the matter. Such conduct was not unusual nor is sufficient to prove pressure or coercion against the workman, forcing him to confess.

17. In a blind case like this, suspicion is generally taken as starting point. The needle of suspicion pointed towards the workman for reasons of his close intimacy with H. K. Gautam, his being liquor addict, and his being a left hander, beside always being in financial constants. It can not be ruled out that some assurance to save him on making true disclosure could have come from the investigating authorities, but such assurances were to elicit out the truth and not to falsely implicate anyone. True disclosures involving the workman, came in the confession. There is no evidence that the management had instilled words on the workman or it had any motive to implicate him. Had it been so, the investigating authorities could not have recommended lenient approach for him. The recommendation was to post in non-sensitive area and not to suspend him. This favour, despite his known involvement did not amount to showing undue favour but a consideration for true disclosure which was not to falsely implicate anyone. Even in criminal cases, an approval is given pardon for true disclosure, and is saved from possible prosecution. There is no material on record, to show that disclosures were untrue or false. What is submitted is that the disclosures were not voluntary and not that the facts disclosed were untrue and concocted.

18. The fact that the workman was given specific questions and was asked to reply in writing, which he readily did, is material. There is no material available to warrant inference that the workman was coerced to write tutored versions. Also, there is nothing to justify inference of prejudice against the workman or to thrust concocted versions in written replies. It appears that the workman was a suspect and he was interrogated. At first, he became angry but on making aware with other evidence available against him, he changed his mind and readily started cooperating in investigation and confessed his complicity. The authorities were required to caution him and MW-1 fulfilled this obligation in sending him back to think again. Despite this caution, the workman confessed his complicity after few days. Also, he did not complain of any high handedness on the part of the investigating authorities, to his own administrative superiors. These facts and circumstances lead to only inference that the confession was voluntary and true versions were given by the workman.

19. Mr. A. C. Gupta defending the workman, submitted that the management story is factually incorrect. He pointed out that Demand Draft leaf No. 9926 was not part of the current Demand Draft Book and so kept in almirah under joint custody. Thus, the removal of this leaf on 2-3-1992 was not possible. Mr. Kamlesh Dewan appeared as a witness but he was not specifically suggested on this point. Mr. Kamlesh Dewan was also charge sheeted for negligence. It may be that he used to keep Demand Draft Books, not in use, in his locked drawer and such had been the prevalent practice in the branch. It is no body's case that Demand Draft leaf 9926 was removed at a later date. Had it been so, the management could have framed its story in different manner. Ex. M-1 the report prepared by the Investigating Team, takes care of this fact.

20. Mr. A. C. Gupta contended that H. K. Gautam could not have been present at Kumrahwas branch at 10.00 A.M., had he been at Sarojni Nagar Branch around 9.30 A.M. This submission appears sound on its face value but the statement of MW-2 and MW-5, if read together, give a different picture. According to MW-5, the office space at Sarojni Nagar Branch was about 2000 Sq. Feet and its cleaning exercise used to take more than an hour. The office used to be opened around 8.00-8.30 A.M. for cleaning work, to facilitate public working in time. In this context, it can not be ruled out that actual incident might have taken place any time before 9.00 A.M.

21. MW-5 also stated that H. K. Gautam was known to him and he used to come by motor cycle. There is no denial of this fact. It was not improbable to negotiate distance between Sarojni Nagar and Kumrahwas branch on motor cycle in an hour or so, to reach in time. In village branches, punctuality is casualty in general and delay for half an hour or so, matters little. In any event, this factual proposition set up by defence is not sufficient to defeat management's case, based on true disclosures of the workman.

22. It is also submitted that two other employees are shown present at 9.30 A.M. in the Attendance Register. It

has been held earlier that the incident might have taken some time earlier and not at 9.30 A.M. It may also be that these employees could not have taken notice of things going on other table, as H. K. Gautam and S. K. Kashyap were familiar faces.

23. It is also submitted that the management started domestic enquiry after 6-1/2 years. This delay is explained by MW-3 M. Rehman who has stated that CBI finally decided not to undertake investigation much belatedly. Thus, delay in the given circumstances was not unjustified. His statement may be believed in the facts and circumstances of the case. In any event, this delay did not occasion in prejudice to the workman's case.

24. Much has been argued that Mr. Padmanabhaiah of Kumrahwas Branch with H. K. Gautam made verification of Demand Draft stock and did not find anything pointing out towards the alleged theft, which had allegedly taken place earlier to the verification. H. K. Gautam prompted this verification and was actively participated in it. He was a conspirator and might have initiated this exercise to defeat evidence of his complicity. This verification was not comprehensive as the factum of theft of unused leaves, was not known by them. This submission can not be overweighed in face of convincing evidence as discussed above.

25. To summarise; it has been held that the workman S. K. Kashyap was a liquor addict, always in dire need of money and also had close proximity with H. K. Gautam. H. K. Gautam had been in jail previously and his antecedent, remained unchallenged. He and the workman were associated with cash division of the branch and after the transfer of H. K. Gautam, the workman remained associated. N. K. Singh was co-mate of H. K. Gautam in jail and this fact is not challenged. His name figured in the incriminatory statement of the workman. There are no circumstances, to warrant inference that the management introduced N. K. Singh to fasten the workman. The workman, obviously, was motivated to make true disclosure of incidents and there was no motive on the part of the management to concoct a false case or to implicate the workman. Revelations by the workman was in his own handwriting and there is nothing to suggest that the confessional version were put to his mind under some threat. He was cautioned by MW-1 when he first approached to make confession and sufficient time was given to him to re-think. There are no materials to show that during this period, in between two visits of the workman to MW-5, he was under watch. The workman did not complain of any threat or coercion to any administrative authority or the union functionaries till evidence in his proceeding. It is not denied that he is a left hander. Mr. T. K. Chaudhry was a very senior officer and had no motive to falsely implicate him. What he and the special investigating officer desired, to work out truth. They tried to save the workman for his willing cooperation in unfolding the facts. It is not trustworthy that he was offered to be approver, as this course could have arisen only when CBI had taken the case.

26. Thus, the materials on record coupled with the circumstances, point convincingly, that the workman was involved in the removal of blank Demand Draft leaves, which were ultimately forged and resulted in cheating the bank. The complicity of the workman S. K. Kashyap prove the charges. These materials are sufficient to warrant inference against S. K. Kashyap and there is no escape but to hold him having committed grave misconduct, betraying faith reposed in him by the management. The management rightly took serious view and punished him with dismissal.

27. As discussed above, the workman S. K. Kashyap is not entitled to any relief.

28. Award as above.

RUDRESH KUMAR, Presiding Officer

8-12-2666.

नई दिल्ली, 2 जनवरी, 2001

का. आ. 148.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कानपुर के पत्रादेश को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[सं. एल-12012/167/95-आई आर (बी-II)]
सी. गंगाधरण, अवर सचिव

New Delhi, the 2nd January, 2001

S.O. 148.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 22 December, 2000.

[No. L-12012/167/95-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SRI R. P. PANDEY, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SARVODAYA NAGAR, KANPUR

Industrial Dispute No. 104 of 1996

In the matter of dispute between —

General Secretary,
U. P. Bank Employees Congress,
2/363 Namneer, Agra.

AND

Regional Manager,
Punjab National Bank
Regional Office, Sanjai Place,
Agra.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/167/95-I.R.(B-2) dated 16-10-96 has referred the following dispute for adjudication to this Tribunal —

Whether the action of the Punjab National Bank, Agra to debar Sri R.N. Chaturvedi, Head Cashier from officiating allowance & permanent posting of S. A. in October, 1991 and again in October, 1992 is legal and justified? If not, to what relief he is entitled to?

2. In the instant case after exchange of pleadings between the parties when the case was taken up for hearing on 23-11-2000, the authorised representative for the union representing the concerned workman made an endorsement on the order sheet to the effect that he does not want to press the present case. In view of it this tribunal is left with no other option but to hold that the workman is not entitled to any relief as the claim is not being pressed.

3. In view of above discussions, it is held that the concerned workman is not entitled for any relief.

4. Reference is answered accordingly.

R. P. PANDEY, Presiding Officer

21-11-2000

नई दिल्ली, 2 जनवरी, 2001

का. आ. 149.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नई दिल्ली के पत्रादेश को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[सं. एल-12012/228/98-आई आर (बी-II)]
सी. गंगाधरण, अवर सचिव

New Delhi, the 2nd January, 2001

S.O. 149.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, New Delhi as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 22 December, 2000.

[No. L-12012/228/98-IR(B-II)]

C. GANGADHARAN, Under Secy.

अनुबंध

समक्ष श्री केशव शरण श्रीवास्तव पीठासीन अधिकारी .
केन्द्रीय सरकार औद्योगिक अधिकरण . नई दिल्ली

सी. वि. स. 10/9/99

श्री धीर सिंह चूडा
डब्ल्यू जेड-31,
नारायणा गांव,
निकोना पार्क,
नई दिल्ली

बनाम

मीनियर मैनेजर,
पंजाब नेशनल बैंक,
नार्थ दिल्ली जोन,
नौवीं मंजिल,
अंतरिक्ष भवन,
कस्तूरबा गांधी मार्ग,
नई दिल्ली-110066।

उपस्थिति : कर्मकार की तरफ से कोई नहीं
श्री दीपक धवन विपक्षी की ओर से।

अधिनिर्णय :

केन्द्रीय सरकार के श्रम मंत्रालय के लिखित आदेश सं.
एल-12012/228/98-आई आर (बी-II) दिनांकित
26/30-3-99 द्वारा यह विवाद अंतर्गत धारा 10(1)(घ)
व 2(क) के अंतर्गत निम्नलिखित विवादास्पद प्रश्न के
न्यय-निर्णय हेतु निर्देशित किया गया है।

"Whether the action of the management of the General
Manager, Punjab National Bank, New Delhi in
stopping from duty w.e.f. 26-12-97 to Shri Dhur
Singh Chadha, S/o Shri Assay Ram engaged for the
up keep and maintenance of stationery and old
records in different branches of the bank in Delhi,
is justified and legal? If not, what relief of the
workman is entitled to?"

2 वाद के पंजीकृत होने के पश्चात आदेश दिनांकित
22-11-99 द्वारा अभय पक्ष को नोटिस अपने पक्ष प्रस्तुत
करने हेतु दी गई। कर्मकार किसी भी तिथि पर उपस्थित
नहीं आया। प्रबन्धक की ओर से उसके अधिकृत प्रतिनिधि
उपस्थित हुए। कर्मकार को कई तिथियां पर नोटिस पंजीकृत
डाक द्वारा भेजे गये परन्तु कर्मकार उपस्थित नहीं हुआ और
न ही उसकी ओर से कोई अधियाचन विवरण प्रस्तुत किया
गया है से प्रतीत होता है कि कर्मकार का वाद में कोई
रुचि नहीं है अतः वाद में कर्मकार के विरुद्ध आदेश
दिनांकित 12-12-2000 द्वारा एकपक्षीय कार्यवाही की गई।

3. चूंकि कर्मकार की ओर से कोई अधियाचन विवरण
वाद में प्रस्तुत नहीं किया गया अतः वाद में बिना कोई
विवाद अधिनिर्णय पारित किया जाता है।

केशव शरण श्रीवास्तव
पीठासीन अधिकारी

दिनांक : 19-12-2000

नई दिल्ली, 2 जनवरी, 2001

का. आ. 150 -- औद्योगिक विवाद अधिनियम,
1947 (1947 का 14) की धारा 17 के अनुसरण में,
केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धन के संबंध
नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट
औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/
श्रम न्यायालय, कानपुर के पंचाट को प्रकाशित करती है, जो
केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[गं. एल-12012/258/97-आई आर (बी-II)]

सी. गंगाधरन, अ. अ. सचिव

New Delhi, the 2nd January, 2001

S.O. 150.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award
of the Central Government Industrial Tribunal/
Labour Court, Kanpur as shown in the annexure
in the Industrial Dispute between the employers
in relation to the management of Punjab National
Bank and their workmen, which was received by
the Central Government on 22 December, 2000.

[No. L-12012/258/97-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SRI R. P. PANDEY, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT,
SARVODAYA NAGAR, KANPUR

Industrial Dispute No. 78 of 1999

In the matter of dispute between —

Punjab National Bank Employees Union,
The President,
Punjab National Bank Employees' Union,
13-A Keshav Kunj, Pratap Nagar,
Agra.

AND

Regional Manager,
Punjab National Bank
Regional Office, EK Road,
Meerut.

AWARD

1. Central Government, Ministry of Labour,
New Delhi, vide its notification No. L-12012/258/
97-IR(B-II) dated 17-7-98 has referred the
following dispute for adjudication to this Tribunal :

Whether the action of the management of
Punjab National Bank in imposing the
punishment of stoppage of one incre-
ment with cumulative effect on Sri Baloo
Singh Peon-cum-Watchman is legal and
justified? If not to what relief the said
workman is entitled and from what
date?

2. In the present case after receipt of the refe-
rence several notices under registered cover were
sent to the union raising the dispute for filing of
statement of claim. The representative for the
union also put his appearance on several dates in
the proceedings of the case and sought time for
one pretext or the other for filing of the statement
of claim and ultimately when the case was taken up
on 22-11-2000, the authorised representative made
an endorsement on the order sheet to the effect
that the present claim is not being pressed.

3. In view of endorsement made by the authorised representative on the ordersheet dated 22-11-2000 I have no option but to hold that the union is not interested in prosecuting the present case and consequently the workman is not entitled for any relief in pursuance of the presist reference made to this tribunal.

4. Accordingly it is held that the concerned workman is not entitled for any relief for want of pleadings and proof and also for the reason that the claim is not being pressed by the union

5. Reference is answered accordingly.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 2 जनवरी, 2001

का आ 151--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम/अमल न्यायालय कानपुर के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[स एल-12012/288/97-आई आर (बी-II)]

सी गंगाधरण, अवसर सचिव

New Delhi, the 2nd January, 2001

SO 151--In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and then workman which was received by the Central Government on 22-12-2000

[No L-12012/288/97-IR(B II)]

C GANGADHARAN, Under Secy

ANNEXURE

BEFORE SRI R. P. PANDEY PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT SARVODAYA NAGAR
KANPUR

Industrial Dispute No 17 of 1998

In the matter of dispute

BETWEEN

Sri Ram Babu,
S/o Sri Babu Lal,
House No 1428,
New Rajendra Nagar,
Near Baldhar School Urai,
District Jalaun

AND

The Regional Manager,
Central Bank of India,
372/18-B Jhansi Road,
Jhansi

AWARD

1. Central Government, Ministry of Labour, vide its notification No L-12012/288/97-IR(B II) dated 20-1-98, has referred the following dispute for adjudication to this Tribunal--

"Whether the action of the management of Central Bank of India, Gwalior Road, Jhansi in terminating the services of Sri Ram Babu son of Sri Babu Lal w.e.f. 24-9-96 is legal and justified? If not to what relief the said workman is entitled?"

2. The workman has filed statement of claim with the allegations that he was appointed in January 1996 in the Central Bank of India at its Extension Counter Branch, Gandhi Mahavidyalaya at Orai as Water Boy to fetch water and to supply the same to the staff of the bank in Jug and Glasses and also to bring hot and cold drinks and snacks for them in the working hours of the bank. He was paid his wages through vouchers by the bank. The bank issued him a certificate that he worked as water boy from January 1996 to August 1996. The bank all of sudden terminated his services on 24-9-96 without assigning any reasons and without giving him any order of termination. The bank did not pay him wages from 1-9-96 to 24-9-96. It has been alleged that he had worked for more than 240 days but no notice or termination compensation were paid to him. Thus his termination from service is illegal being passed in violation of the mandatory provisions of the Industrial Disputes Act, 1947. On the basis of the aforesaid allegations the workman has prayed that his termination from service may be declared illegal and he may be reinstated in service with back wages.

3. The management of Central Bank of India has contested the case on the ground that relationship of master and servant never existed between the bank and Ram Babu hence the claimant is not entitled to get any relief of reinstatement in the services of the bank and to get wages from the bank.

4. It has been alleged by the Bank that the Bank has no post of water boy and in certain branches of the bank there is scarcity of water, hence the water is purchased from persons from time to time and the charges of water are paid to them. Fetching of water from outside and to fill in buckets provided in the bank is not a full time job and normally the aforesaid job is for an hour. Sri Ram Babu the person concerned was also engaged for fetching water from outside to the extension counter Gandhi Mahavidyalaya, Orai, and was paid charges for bringing water for the employees of the bank. The sanctioned posts in a bank were filled after following the prescribed procedure and after taking the test and interview of the candidates who were called for selection. Ram Babu was never appointed on any sanctioned post, and was ever selected through the prescribed procedure for any post under the bank. It has been alleged that the certificate filed by Sri Ram Babu is forged one and he never worked as an employee of the bank on any post whatsoever. It has been alleged that the claim of Sri Ram Babu is misconceived and the reference is liable to be decided against him and in favour of the bank.

1A. In rejoinder, the workman has repeated the facts alleged with statement of claim.

5. The workman examined himself as WW-1 and filed 23 documents marked Ext W-1 to W-23 in support of his case. The management examined Sri Prabhakar Dwivedi, the then branch manager Central Bank of India Main Branch Orai, as MW-1 and filed 24 documents marked as Ext M-1 to M-24 in support of its case.

6. I have heard the authorised representative for both the parties, and have gone through the record of the case.

7. The representative for the workman has argued that Ram Babu was appointed on a post of water boy at Extension Counter of Gandhi Mahavidyalaya Orai of Central Bank of India and worked for more than 240 days hence he is entitled to get protection of the provisions of section 25F of ID Act and his termination from service from 24-9-96 was illegal because it was made in violation of the provisions of Industrial Disputes Act. After going through the record of the case and evidence on the record I do not find any force in this contention. The concerned workman

has not filed any documents to show that he was ever appointed against the post of water boy. He has not produced any document to show that any post of water boy ever existed in Central Bank of India. The management pleaded in its written statement that post of water boy did not exist in Central Bank of India at Orai or in its extension counter Gandhi Mahavidyalaya Orai. Sri Dwivedi M.W.1 the then Branch Manager of Orai Branch of Central Bank of India stated on oath that he worked as Branch Manager in Central Bank of India Orai Branch from November 1993 to August 1997 and the extension counter of Gandhi Mahavidyalaya Orai was functioning under his control and no post of water boy ever existed in the Central Bank of India. The representative for the workman has cross examined him at length but he has not put any question to this witness regarding the fact that a post of water boy did not exist in the Central Bank of India in the year 1993 to 1997. Thus the testimony of Prabhakar Dwivedi, M.W.1 goes uncontested on this point. I am therefore inclined to believe that the post of water boy did not exist in Central Bank of India Branch Orai or its extension counter. The workman has also not filed any document to show that he was ever appointed by the competent authority against a post of water boy. I am, therefore, inclined to believe the case of the management that the post of waterboy did not exist in the Extension Counter of Gandhi Mahavidyalaya Orai of Central Bank of India. I am further inclined to believe that the testimony of Prabhakar Dwivedi M.W.1 that Ram Babu was never appointed against any post of extension counter at Gandhi Mahavidyalaya, Orai. When Sri Ram Babu was not appointed against any post in Central Bank of India Orai by Competent authority and no appointment letter was issued in his favour and there is no evidence that he was ever selected for such post. I am inclined to believe the case of the bank that the relationship of servant, and matter did not exist between Ram Babu and the management of Central Bank of India. In a similar case of Manager State Bank of Indore, Kanpur versus Presiding Officer (Central) Kanpur and other 1990 Vol. 60 FLR 672 the Hon'ble High Court of Allahabad has held as under:—

'In the absence of any appointment order there cannot be any termination nor it can be alleged that termination is bad, para 495 of the Shastri Award clearly indicates the terms in which the appointment is to be made that is by a written order and when appointment has not been made according to law a right cannot be claimed. Where a person has no right to a post or to a particular status but if the Authority acts beyond its competence giving that person a status which it was not entitled to give he will not in law be deemed to have been validly appointed to the post or given the particular status.'

The law laid down in the case cited above fully applies to the facts of the present case. In view of the law laid down in the case cited above and considering facts of the case I hold that Sri Ram Babu could not get the status of an employee of Central Bank of India and was not entitled to get any relief in this case against the management of the bank either by way of reinstatement in the service or back wages.

8. The concerned workman has admitted that he was given wages by way of vouchers. Management of bank has filed photo copies of these vouchers which are Ext. M-1 to M-16. These vouchers go to show that Ram Babu was paid cost of water at the rate of Rs. 15 per day whenever he fetched water to the bank. These documents support the case of the management that Ram Babu was casually engaged to fetch water and was paid cost of the water whenever he brought water for the staff of the bank. The voucher dated 13-7-96 Ex. M-17 goes to show that one Ram Nath fetched water to the bank for six days before 13-7-96 and he was paid cost of water amounting to Rs. 90. Similarly the voucher dated 30-7-91 Ex. M-18 goes to show that one Satnam fetched water for the employees of the bank for six days before 20-7-96 and he received cost of the water amounting to Rs. 90. Similarly the voucher dt. 27-7-96 and 3-8-96 Ex. M-19, 20 go to show that that cost of the water was paid to Prem Babu and Ram Shankar respectively for bringing water to the bank. These vouchers go to support the contention of the management that whenever a casual worker brought water to the bank he was paid cost of the water. Vouchers Ex. M-17 to M-20 falsify the case of the workman that he continuously worked from January, 1996 to August 1996

in the bank as water boy and fetched water and supplied water for the staff of the bank. Thus the aforesaid vouchers instead of supporting the case of the workman go to support the case of the management that Ram Babu was not paid salary for any post but was paid cost of the water which he fetched for the employees of the bank in a casual manner.

9. The representative for the workman has drawn my attention towards a certificate dated 15-8-96 Ext. M-23 which appears to be a certificate issued by the Incharge of Extension Counter of Gandhi Mahavidyalaya Orai. According to the management it is a forged certificate. The fact that this certificate was issued on 15 August 1996 makes its existence doubtful because generally on 15th August which is celebrated as Independence Day the offices of the bank do not open. Secondly the then Incharge of Extension Counter Gandhi Mahavidyalaya Orai sent a letter to the Branch Manager Sri Dwivedi M.W.1 (Ext. M-22) mentioning that he did not issue any certificate to Sri Ram Babu nor he ever took bank work from him. He also sent a letter dated 11-12-96 to the then branch manager Sri Dwivedi informing that Sri Ram Babu casually fetched water in his extension counter between 19-1-96 to 10-8-96 and water was purchased from other casual labourers also from time to time. These documents appear reliable as they find support from the copies of the vouchers Ex. M-1 to M-20 filed by the management. The Certificate dated 26-10-98 Ex. M-24 also goes to show that Ram Babu was paid cost for bringing water to the bank at the rate of Rs. 15 whenever he did so. In these circumstances I am inclined to believe the case of the management that Ram Babu was not the employee of the bank and he worked as casual labour for bringing water to the bank and he was paid cost of the water at the rate of Rs. 15 per day and he could not get status of an employee of the bank as he did not get any appointment against any post under the bank.

10. In view of findings recorded above, I do not find any merit in the case of Ram Babu the concerned workman. Even his disengagement for bringing water to the bank w.e.f. 24-9-96 cannot be treated as retrenchment and in the case the bank was not required to make compliance of the provisions of Section 25F, 25G and 25H of the Industrial Disputes Act, 1947. I, therefore, hold that the bank has not violated any provisions of Industrial Disputes Act, 1947, in this case.

11. In view of above considerations, I hold that the concerned workman is not entitled to get any relief in pursuance of the reference made to this Tribunal.

12. The reference is answered accordingly against the workman.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 2 जनवरी, 2001

का. आ. 152.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबन्धनतंत्र के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[नं. एल-12013/22/98-आई आर (बी-II)]

सी. गंगाधरण, सचिव

New Delhi, the 2nd January, 2001

SO 152.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 22-12-2000.

[No. L-12013/22/98 IR(B II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Presiding Officer: Rudresh Kumar

ADJUDICATION

BETWEEN

The President,
Central Bank Employees' Union,
5/700, Viram Khand,
Gomti Nagar,
Lucknow.

AND

The Dy. General Manager,
Central Bank of India,
Vidhan Sabha Marg,
Lucknow (U.P.)-226010.

AWARD

By reference No. L-12013/22/98-IR(B-II) dated 14-12-1998, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) of Section 10 I.D. Act, 1947 made over this industrial dispute, between the President, Central Bank Employees Union, Lucknow, espousing cause of Phateh Singh and the Dy. General Manager, Central Bank of India, Lucknow for adjudication.

The reference is re-produced as under :

"Whether the action of the management of Central Bank of India in not considering Shri Phateh Singh, Steno for the post of Steno Officer is legal and justified in terms of promotion policy of the bank? If not, to what relief the said workman is entitled?"

2. In between the management of Central Bank of India and its workman, represented by the All India Central Bank Employees Federation, an agreement was arrived at December 20, 1975, superseding all previous agreements or procedures regulating promotion policy of the subordinate staff and clerical staff and selection of the posts carrying special allowances under the industry wise bipartite settlements. The said agreement was modified, from time to time. Chapter III of the agreement regulated procedures for promotion of Stenographers to the post of Steno-Officers.

3. On February 16, 1990 the management of Central Bank of India and the All India Central Bank Employees Federation, signed another settlement substituting earlier on dated December 20, 1975 and created a distinct cadre of the 'Steno-Officers', categorising its feeder cadres. Relevant portion of this settlement is as under :

"Whereas consequent to the Agreement between parties in the matter of decompartmentalisation, Stenographers and Steno Typists have been designated as Steno-cum-Clerks and brought into the common seniority list in the mainstream and made eligible thereafter for promotion under State Service Cadre, the matter regarding filling up of Steno Officers posts in the Bank was discussed between the parties and it has been agreed by and between the parties that Chapter III will be substituted as per annexure enclosed herein with this agreement and the procedure for filling up of the posts of 'Steno Officers' in the Bank shall be governed accordingly."

4. In pursuance to the settlement dated 16-2-90 the management of the Central Bank of India issued circular No. C.O. 89-90/825 dated March 12 1990 regulating its promotion policy. A significant departure was made from the previous Promotion Policy Rules by providing to seek irrevocable option, to the posts of 'Steno Officers' from those Stenographers having completed 6(six) years on the post, on or before 30-4-90. A separate seniority list, exclusively for the said purpose to regulate promotion to the post of 'Steno Officers', was to be published. The said circular, also provides that those completing six years in future, would be required to

give their irrevocable option within two months from the date of completion of 6(six) years as Stenographer. In effect, those opting to the post of 'Steno Officers' relinquish their claim in state service cadre for promotion in junior management. Para 4 of the circular is relevant for the purposes of the present adjudication, reads as under:

"The Management has taken a decision to provide Steno-Officers to all Asstt. General Managers at Central Office and other Offices. Accordingly, the vacancies of Steno-Officers at any Zonal Office may be filled up after taking the option of existing Stenographers with 6(six) years service in the concerned selection area and conducting the speed test to the eligible candidates. The details of the vacancies of 'Steno-Officers' in the Zone and the promotion effected may be forwarded to Recruitment and Promotion Division for their information and record."

5. The workman Phateh Singh raised this Industrial Dispute as he was denied promotion despite valid option of 'Steno-Officer'. In short, the facts are: the workman Phateh Singh was appointed, initially, as Clerk-cum-Typist on 12-5-1981. He was designated and posted as Stenographer at Regional Office, Kanpur of the Central Bank of India w.e.f. 24-3-1984. In view of circular No. CO: 89-90/825 dated March 12, 1990 issued in pursuance to the Settlement dated 16-2-1990, he gave his irrevocable option on 16-3-90, within permitted period of two months, for his consideration to the post of 'Steno-Officer'. His name should have been included in the separate seniority list, to be prepared as per terms of settlement, which was not done. Prior to it, before giving option, he had addressed a letter on 17-4-90 to the Regional Manager, Kanpur seeking clarifications as what constituted "Selection Area", mentioned in para 4 of the aforementioned circular. It was clarified then on the said letter itself that the 'Selection area' for the purposes of selection of 'Steno-Officer', at Zone level post was Zone and not region.

6. It appears that the management did not take any action on the irrevocable option dated 16-3-90 of the workman. He was not informed that his option was lacking conformity with the Promotion Policy Rules or had any deficiency. Even a separate list was not drawn as per policy in the relevant year earlier at Lucknow or Kanpur despite availability of one vacancy of Steno-Officer at Zonal Office, Lucknow. It was informed after years that he was not considered due to his post at Kanpur, in a separate selection area other than Lucknow where the Zonal Office situate. This was contrary to the clarification made earlier on 17-4-1990. Later, the said vacancy was filled by one Mr. Durai Pandian. It is asserted by the workman that Mr. D. Pandian had not completed 6 years service as Stenographer at the time of his giving option on 25-4-90. He was appointed a Stenographer on 9-4-85 and gave his option on 25-4-90 as per circular dated 12-3-90. At that time, he had put about 5 years service and had not completed six years service as Stenographer to entitle him to give option. The very option was illegal for the reason that Mr. D. Pandian was not eligible for inclusion of his name in separate seniority list was published at Lucknow area published on 14-2-96. His appointment as 'Steno-Officer' on the basis of a void option in 1996 was illegal and the vacancy should be treated unfilled. Though he was appointed after rendering 10 years service but in the absence of a valid option, he was not entitled to be considered. The workman further contends that the management deliberately withheld publication of separate seniority list till 1996, to deny opportunity to him to file objection, although the post was created in 1993 and kept vacant.

7. The grievance of the workman, may be summed up that consequent upon his irrevocable option to the post of 'Steno-Officer', he became disentitled to promotion in state service cadre and thus was put to double disadvantage. He fulfilled qualifications and efficiency required to the post of 'Steno Officer', had deserved consideration, which was denied showing favour to an ineligible person Mr. D. Pandian, which is a unfair labour practice. Furthermore, selection process required at least two names to be considered but this basic norm was ignored. Taking aid of Rule 1.14, he should have

been called from the adjoining selection area, even if the management stuck to the choice from the Lucknow selection area.

8. 1.14 of the Promotion Policy Rules, required calling of eligible Stenographers from adjoining selection areas, in the selection process to the post of 'Steno-Officer', it in the view of the management, the selection was to be confined to Lucknow selection area alone and particularly when there was no eligible Stenographer with valid option, or there was only one. This rule was conveniently ignored to defeat claim of the workman. This procedure was followed in past. To defeat his claim, his transfer to Lucknow region was denied earlier, but subsequent to filling up the post, he was transferred. For ready reference Rule 1.14 is reproduced as under :

"If sufficient number of candidates are not available in a particular selection area for promotion under State Service Cadre as and when found necessary by the Bank, the vacancies shall be filled in by promotion from the adjoining selection area/s in the same State or States in the Zone and if still candidates are not available then from the adjoining selection areas in the adjoining zone. Such promotions shall be treated as under State service. Even then if sufficient number of candidates are not available then the balance of vacancies shall be filled up by promotions under AIS over and above the requisite quota in terms of Clause 1.12 above."

9. The management has refuted claim of the workman on several grounds. However, facts relating to appointment of the workman as Stenographer, and his option to the post of the Steno-Officers, are not disputed. Likewise, successive representations, by the workman, the appointment of Mr. D. Pandian and his irrevocable option before putting 6 (six) years service as Stenographer have not been disputed. The vacancy existed in the year 1993 and was filled in 1996. The seniority list ignoring claim of the workman was published in the year 1996. The management has admitted non consideration of the workman, as he was posted at Kannur which did not fall in Lucknow selection area. The management defends appointment of Mr. D. Pandian in the year 1996 stating that at the time of appointment he had already put about 10 years service. The initial deficiency of giving option before putting 6 years as Stenographer stood rectified and his appointment cannot be questioned now, is contended by the management.

10. It is also pleaded by the management that Mr. Phateh Singh is not covered in the definition of 'workman' as defined under Section 2(s) of the

Industrial Dispute Act, 1947 and this Tribunal, also, has no jurisdiction to adjudicate, on the reference which is patently incompetent. Another point has been urged that the workman is not entitled to automatic promotion to the post of 'Steno-Officer' as selection process of the post required certain qualification, test etc. In this context, it is submitted that this Tribunal cannot arrogate itself in place of selection committee and assume administrative role of appointing authority to the post of Steno Officer, even if entitlement of the workman is held.

11. Main issue, to be attended in this adjudication, is :

Whether the vacancy of 'Steno Officers' at Zonal level posts, has to be confined amongst the Stenographers of the regional selection area where the Zonal Office is situate excluding other selection areas comprised in the same Zone.

12. Two preliminary issues, that Mr. Phateh Singh is a workman and the reference is valid, entitling adjudication by this Tribunal need to be addressed first. There is no material on record to justify inference that the Stenographers in the Central Bank of India working at Regional Offices, discharge supervisory or managerial functions. In absence of any such material on record the contention of the management is devoid of any substance. The workman, a Stenographer is, thus, a 'workman' within the meaning of Section 2(s) of the Industrial Dispute Act 1947.

13. Also, there is no material on record to substantiate the argument that the reference under adjudication is illegal. In fact, the reference relates to a 'workman' and disadvantages, pecuniary or otherwise suffered by him in non considering him in promotional post. Alleged illegal actions of the management, not only deprived the workman of higher wages but also caused loss of other allowances attached with the higher post, including provident fund and gratuity. Further-more, his irrevocable option deprived him of consideration in State service cadre. All above issues are directly related to his non consideration to the post of Steno-Officer and arose as a consequence of denial of his non-consideration. Above issues are covered by the Schedule II and III, I. D. Act, 1947 and thus, are adjudicable by this Tribunal. The reference in question is also valid and competent. The submission advanced by the management thus, cannot be sustained.

14. Whether the vacancy of the 'Steno-Officer' at Zonal level could be filled by Stenographers, having given option to the said post, from the Lucknow selection area alone excluding Kannur selection area, comprised in the same Zone. At the very

threshold. It must be noted that only vacancy of 'Steno-Officer' became available at the Zonal Office at Lucknow around 9-3-93. In Lucknow Zone, included selection areas of Lucknow, Kanpur, Bareilly, Gorakhpur and Deoria. Management case is that the Zonal office was at Lucknow and so the eligibility was to be seen from the Lucknow selection area alone excluding the other selection areas provided in para 4 of the circular dated 12-3-90. This submission is misconceived.

Part III of the Promotion Policy Rules, as amended from time to time, does not prohibit giving of options by the eligible Stenographers working in other selection areas of the same Zone. Para 3 of the substituted agreement dated 16-2-90, does not mention 'selection area'. Also, it does not put constraint on the eligible Stenographers working in other selection areas and confines consideration from the selection area where the Zonal Office situate. Further, Rule 3.7 of the Promotion Policy Rules (hereinafter to be referred as P.P. Rules) read as follow :

3.2. All rules governing probation, reversion etc. are applicable to state service promotion policy shall apply to 'Steno-Officer'.

15. Above Rule does not mention "selection", implying inapplicability of state service rules in the matter of selection. From perusal of circular dated 12-3-90 it is explicit that a separate cadre of 'Steno-Officer' was carved-out, apart from state service cadre. Because of it, publication of a separate seniority list was obligatory. The use of word "irrevocable option", further strengthens above reasoning. Once irrevocable option is given, the optee stands disqualified to be considered in State Service cadre, thereafter. There is no such provision permitting an optee to remain included in common cadre, if he is not considered in a Zonal selection. Also, on comparison para 4 of the circular does not appear to be in conformity with substituted Part III of the Rules. Para 4 is, also, not drawn in light of the agreement dated 16-2-90. Para 4 opens with word "The Management has taken a decision". It implies that para 4 of the circular dated 12-3-90 is alien to Part III or the Memorandum of agreement dated 16-2-90, and the same is based on unilateral decision of the management. The concept of 'concerned selection area' in para 4 of the circular thus, is not part of III of the Promotion Policy Rules. The inevitable inference seems to be that the selection area to the post of 'Steno Officer' at Zonal office, is all selection areas falling in the said Zone. In the event, this interpretation is not accepted, the senior and more efficient Stenographers working in the same Zone but in other selection areas would be deprived of opportunity of being considered despite their valid option. In the instant case, the workman,

undisputedly gave his option as per rules. His option was not rejected. He was not informed that his option was invalid and he continued to in the common cadre. Even, separate list was not prepared from 1990 to 1995. The first separate list was published on 14-2-96 which included sole name of Mr. Duroi Pandian. A Steno-Officer at Zonal office was to be selected by the Zonal office and not Regional office. The Zonal office, even at the time of the publication of this separate list did not inform ineligibility of the workman. In this context it is relevant to mention that separate list was invalid as the person shown in the list was ineligible for consideration, as he had not completed 6 years as Stenographer on the date of option. This basic infirmity was incurable. Efflux of time consumed in making appointment could not cure this legal infirmity. There is no case that Mr. D. Pandian gave another option after having completed 6 years service as Stenographer.

16. In the present case, the workman sought clarification, prior to his giving option and he was given in writing that for a Zonal post. Selection area was whole zone and not regional selection areas. Management has not come with the fact, that a separate seniority list was ever published in Kanpur selection area, if the option was treated on selection areas basis. The workman did not find place in separate list of Lucknow selection area and no list was published at Kanpur, and whole issues were left unresolved despite number of representations made by the workman. In the circumstances, the action of the management to exclude consideration of the workman to the post of Steno-Officer was unjust and invalid. The said post filled by a Stenographer whose option was void-ab initio, the vacancy, thus, must be treated existing and not filled up.

17. Alternatively, let it be considered, whether the action of the management was legitimate, even if treated pertaining to Lucknow selection area. Para 1.14 of Promotion Policy Rules envisage such contingency and requires consideration of those eligible in adjoining selection areas. Mr. D. Pandian was not eligible. There is no evidence to show that requisite number of Stenographers with valid options, were available at Lucknow selection area. In this event it was obligatory for the management to invite names from the adjoining selection areas. On this count also the action of the management was not justified and inference is inevitable that normal and legal procedures were ignored to defeat claim of the workman.

18. Thus, on the strength of the discussions made above, it can be safely concluded that the management of the Central Bank of India did not act legally and justifiably in not considering Phateh Singh to the post of Steno Officer. The management did not follow the terms of Promotion Policy

Rules, regulating selection to the post of Steno-Officer. In the circumstances, Phateh Singh, being the only eligible candidate with valid irrevocable option, was entitled to the said post w.e.f. the date, the post of Steno Officer was filled by Mr. D. Pandian an ineligible person. In effect, the post has to be treated vacant, filled by the workman Phateh Singh entitling him to all the service and pecuniary benefits.

19. Award accordingly.

Lucknow
18-12-2000

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 2 जनवरी, 2001

का. आ. 153.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कानपुर के पचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2000 को प्राप्त हुआ था।

[सं. एल-12013/26/98-आई आर (बी-II)]
सी. गंगाधरन, अवर सचिव

New Delhi, the 2nd January, 2001

k. S.O. 153.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 22-12-2000.

[No. L-12013/26/98-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SRI R. P. PANDEY, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT SARVODAYA NAGAR,
KANPUR

Industrial Dispute No. 3/1999

In the matter of dispute between—

Punjab National Bank Employees' Union,
The President PNBEU 13-A Keshav Kunj
Pratap Nagar, Agra.

AND

Regional Manager,
Punjab National Bank,
Regional Office,
Teachers Colony,
Bulandshahar U.P.

AWARD

1. Central Government, Ministry of Labour, New Delhi vide its notification No.-12013/26/IR(B-II) dated 30-12-98

has referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the Punjab National Bank in imposing the punishment of stoppage of four annual increments with cumulative effect upon Sri Satish Chand, Cyclostyle Operator is legal and justified? If not, to what relief the said workman is entitled?”

2. In the present case after receipt of the notice, the authorised representative, raising the present dispute put his appearance in the case on several dates and sought adjournment for filing of the claim statement in the case on one pretext or the other and ultimately on 22-11-2000 he made an endorsement on the reference order to the effect that the claim is not being pressed by him. In view of this endorsement, I have no option but to hold that the concerned workman is not entitled for any relief as the claim is not being present by the union raising the present dispute.

3. Reference is answered accordingly against the workman.

R. P. PANDEY, Presiding Officer

Dated : 7-12-2000.

नई दिल्ली, 3 जनवरी, 2001

का. आ. 154.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, धनबाद के पचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-12-2000 को प्राप्त हुआ था।

[सं. एल-20012(40)/82-डी-III(ए)/आई आर]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 3rd January, 2001

S.O. 154.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd and their workman, which was received by the Central Government on 29-12-2000.

[No. L-20012(40)/82-D-III(A)/IR]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1 AT DHANBAD

PRESENT :

Shri Sarjoo Prasad, Presiding Officer.

In the matter of an Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 69 of 1990

PARTIES :

Employers in relation to the management of Moondih Project of M/s. Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the employers : Shri B. Joshi, Advocate.

On behalf of the workmen : Shri D. K. Verma, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 6th December, 2000.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has received the following dispute to this Tribunal for adjudication vide their Order No. L-20012(40)/82-D.III(A)/IR dated, the 17th April, 1990.

SCHEDULE

"Whether the action of the management of Moonidih Project of M/s. Bharat Coking Coal Ltd. dismissing the services of Shri B. N. Singh and Bhuni Singh w.e.f. 26-9-1980 is justified? If not, to what extent the workmen are entitled to?"

2. The brief facts giving rise to this Industrial Dispute is that Shri B. N. Singh and Bhuni Singh were the workmen of M/s. Bharat Coking Coal Ltd. working at Moonidih Project. They were served with a chargesheet alleging that they along with others have taken part in assaulting the senior officials of the Moonidih Project and have taken law in their own hands. The concerned workmen submitted reply to the chargesheets denying their involvement and had pleaded that they were not the members of the mob. However, the management did not find their replies satisfactory. Therefore, a domestic enquiry was ordered to be conducted by Shri A. K. Banerjee, Personnel Manager of Chanch Victoria Area of M/s. BCCL. The domestic enquiry was conducted by Shri A. K. Banerjee who submitted his enquiry report finding the concerned workmen guilty of the charges and on that basis both of them were dismissed by the management with effect from 26-9-80. The concerned workmen raised an Industrial Dispute before the ALC(C), Dhanbad which ended in failure and a failure report was sent to the Central Government, in the Ministry of Labour. But the appropriate Government did not found it proper to refer the dispute for adjudication because the Government was of the view that the concerned workmen were dismissed from service after holding a domestic enquiry in which they were found guilty. However, the concerned workmen preferred a Writ Petition before the Hon'ble High Court of Judicature at Patna, Ranchi Bench in which by Order dated 10-4-89 the appropriate Government was directed to pass fresh order keeping in view the law laid down by the Hon'ble Supreme Court for referring the industrial dispute. In pursuance of that the present dispute has been referred by Order dated 17-4-90 i.e. almost after 9½ years of the dismissal of the concerned workmen.

3. According to the concerned workmen the domestic enquiry was farce. It was held in one day, in one sitting in which the management's witnesses were not examined, rather they submitted their Written Statement and on the same day the enquiry report was submitted and the concerned workmen were also dismissed on the same day. According to them the management has pre-plan to dismiss them without proper and fair enquiry. The management on the other hand had asserted that the enquiry was fair and proper and the principles of natural justice were followed. The matter was heard by this Tribunal and by Order dated 16-12-94 it was held that the domestic enquiry was neither fair nor proper. The management was given chance to adduce evidence to justify its action. Accordingly the management has examined three witnesses out of 18 witnesses who had submitted their W.S. before the domestic enquiry because the management could not procure the attendance of other witnesses due to long lapse of time all the witnesses were not available. The concerned workmen have also examined themselves in their defence and they have also filed certain document in their defence.

4. The point for consideration is whether the management has been able to justify its action by adducing fresh evidence?

FINDING

5. The first witness examined by the management is R. P. Sahi who is working as Superintending Engineer in Moonidih Project. He has stated that on 11-9-80 he was Executive Engineer posted at Moonidih Project and on that day at 4.30 P.M. he was at his residence when he heard some noise outside his residence. He came out and noticed that 25 to 30 persons were armed with rod and lathi were making lullah to assault Shri S. Prakash, an Officer of the Project. He tried to

pacify them but did not succeed. Amongst the mob he could see the workmen Sarju Singh, Sakhi Ram Chamar and some others who caught hold him and pulled him and were threatened to kill if he does not tell them the house of Mr. Prakash. However, this witness has not named these two concerned workmen to have taken part in the said incidence or as a member of the mob. MW-2 is Shri S. Prakash who was posted as Senior Mining Engineer at Moonidih Project on 11-9-80. He has stated that on that day he along with Mr. A. K. Gulati S. P. Singh and Mr. Kajmi were assaulted by the concerned workmen. He has further stated that on that day he had gone to the underground for inspection and noticed that some workmen were sitting idle whom he warned to take disciplinary action and due to that this incidence had taken place in the afternoon. He was followed by the mob, assaulted by the mob and he had identified some persons in the mob but he has not identified these two concerned workmen as the members of the mob. The last witness is, Shri Arbind Kumar who was Senior Personnel Officer at Moonidih Project of M/s. Bharat Coking Coal Ltd. on 11-9-80. He has stated that on that day at 4.5 P.M. the mob has assaulted Mr. A. K. Gulati, Mr. Kajmi and Mr. S. P. Singh at the Export Hostel (Guest House) by an unruly mob. He along with Shri Manas Bhattacharjee closed themselves in a room to save themselves. He has stated that these two concerned workmen were also in the mob but he could not say who had actually assaulted anybody. Thus, from the evidence adduced by the management, it appears that MW-3 has stated that these two concerned workmen were the members of the mob. However, he has given written statement in the domestic enquiry Ex. W-1 in which he has not mentioned their names specifically. The management could not produce other witnesses. In the chargesheet there is specific allegation that B. N. Singh had assaulted a Security Guard who had gone to save the officials of the colliery and during the domestic enquiry one Shri N. K. Nair had stated that he was assaulted by the concerned workman Shri B. N. Singh. But since they could not be examined by the management and as they are not available due to such long lapse of time their evidence could not be recorded. However, from the evidence of MW-3 it is clear that atleast the presence of these two persons in the mob is there.

6. The concerned workmen have filed the copy of F.I.R. lodged by Mr. A. K. Gulati in which their names do not find place and they also filed the ordersheet of the G. R. Case from which it appears that the Police have not submitted any chargesheet against them. On the strength of F.I.R. and chargesheet they have submitted that they were not present with the mob nor they have taken part in the incidence. From the materials available on record I find that except MW-3 none has come to say that the concerned workmen had taken part in the occurrence but at the same time it must be taken into consideration that due to such long lapse of time the management has become handicapped in producing all the witnesses who had seen the occurrence and out of 18 witnesses during the domestic enquiry they could examine only three. Therefore, the management must be prejudiced if the concerned workmen are exonerated altogether specially when Arbind Kumar who is at present General Manager, Welfare has said that these persons were also in the mob. However, he could not say if they had taken part in the assault. Therefore, in my opinion, the action of the management cannot be said to be totally unjustified. However, since there is no specific allegation of over act against the two concerned workmen nor their names find place in the FIR and the chargesheet of Police; therefore, in my opinion, the capital punishment of dismissal requires to be modified by directing the management to reinstate the concerned workmen but without any back wages which will be sufficient punishment.

7. In the result, I render the following :—

AWARD

"that the dismissal of the concerned workmen be set aside and they may be reinstated in service without any wages for the idle period. However, their continuity in service shall be maintained for the purpose of gratuity etc."

SARJOO PRASAD, Presiding Officer

नई दिल्ली, 3 जनवरी, 2001

का. आ. 155—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार मैसर्स सी. सी. सी. एच. के प्रबन्धन के संवर्ध निरोधको और उनके कर्मचारों में बीच, अनुवध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम स. 1, धनबाद के पंचद को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-12-2000 को प्राप्त हुआ था।

[स. एन-20012/56/88-ई-IV (ए)]

एस. एस. गुप्ता, मन्त्र सचिव

New Delhi, the 3rd January, 2001

S.O. 155.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 29-12-2000.

[No. L-20012/56/88-D IV(A)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 56 of 1989

PARTIES:

Employers in relation to the management of Mohuda Area No. II of M/s. B.C.C. Ltd.

AND

Then Workmen.

PRESENT:

Shri Sanju Prasad, Presiding Officer

APPEARANCES:

For the Employers: Shri H. Nath, Advocate.

For the Workmen: Shri D. Mukherjee, Advocate

STATE: Jharkhand.

INDUSTRY: Coal.

Dated, the 14th December, 2000

AWARD

By Order No. L-20012/56/88-D.IV(A) dated 8-5-89 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the Management of M/s. BCCI through General Manager, Mohuda Area No. II in dismissing from service the workman Shri Sanjiv Kumar Sahani, Clerk w.e.f. 18-12-86 vide Order dt. 14-8-87 is justified? If not, to what relief the concerned workman is entitled to?"

2. The brief facts giving rise to this industrial dispute is that Sanjiv Kumar Sahani, Piece-rated workman working at Mohuda Area No. II of M/s. BCCI and he was deputed to work as Accounts Clerk. The concerned workman was issued a chargesheet on 11-2-83 calling upon him to submit explanation as to why disciplinary action should not be taken

against him for committing misconduct under the Model Standing Order—S.O. Nos. 17(1)(a), 17(1)(q) and 17(1)(i). It was alleged that the concerned workman, Sanjiv Kumar Sahani, prepared a cash voucher dated 8-1-83 for drawing an advance salary of Rs. 985 in his name by forged signature of Shri G. C. Dig, Finance Officer and presented the same to the Cashier of Muidih 20/21 Pits Colliery and received the amount by putting his signature on the voucher as a token or receipt of the above amount. Similarly he had prepared cash voucher dated 13-12-82 for receiving payment as medical advance for a sum of Rs. 900 in his name and after drawing the payment he took out the voucher and destroyed the same. Thus the concerned workman by forging signature of G. C. Dig had drawn a sum of Rs. 1885. The concerned workman was asked to explain these charges but he did not submit any explanation, then the management constituted an enquiry but in the enquiry also the concerned workman did not take part and ultimately the domestic enquiry was held ex parte. He was held guilty by the Enquiry Officer and in pursuance to that the concerned workman was dismissed by the General Manager of the Area.

3. According to the concerned workman he has filed satisfactory explanation yet the management constituted enquiry. Further, according to him although the management has also filed a criminal case on the same charge the concerned workman filed petition for stay of the domestic enquiry on that ground and also on the ground of non-payment of subsistence allowance, but it was not heeded and an ex parte enquiry was held which is an empty formality, unfair and improper and therefore the concerned workman was dismissed from service on the basis of finding of the Enquiry Officer which was unfair and improper. Further, according to him in the enquiry the charges were not proved and the officer who has dismissed him was not empowered to dismiss him or to take disciplinary action against him. The management, on the other hand, has held that the concerned workman did not submit any explanation to the charges in spite of the fact that the charges were sent to him and were also published in the Newspaper. The concerned workman has full knowledge of the domestic enquiry, yet he decided not to take part in the domestic enquiry and for that it is the workman who is to be blamed. According to the management, the domestic enquiry was fair and proper.

4. The fairness and propriety of the domestic enquiry was taken up as preliminary issue and by order dated 12-10-92 the same has been held to be fair and proper.

5. Since the domestic enquiry has already been held fair and proper, the only question to be decided is whether the charges have been proved in the domestic enquiry and if so whether the punishment of dismissal is proportionate to the allegation of misconduct proved against the concerned workman.

6. The management has brought on record the entire domestic enquiry file from which it appears that Ext. M-1 is the chargesheet dated 11-2-83. The charges are specific and the charges against the concerned workman are to have forged the signature of G. C. Dig, Finance Officer and has illegally taken payment of a sum of Rs. 900 as medical advance and Rs. 985 as advance salary. Thus, the concerned workman has defrauded the employer which is misconduct under Clauses 17(1)(a), 17(1)(q) and 17(1)(i) of the Model Standing Orders. The management has further filed an Office Order dated 3-1-83 from which it appears that since the concerned workman did not submit any explanation then another chance was given to him to submit his explanation. The management has also brought on record the publication of the chargesheet in Newspaper vide Exts. 7 and 8. The management has also filed a letter of the concerned workman which is Ext. 11 to show that the concerned workman had full knowledge of the domestic enquiry and he has prayed for postponement of the domestic enquiry pending till disposal of the criminal case. The management has also filed the report of Shri G. C. Dig, Ext. 13 to show that his signatures were forged in two vouchers and the concerned workman has taken payment of Rs. 985 and Rs. 900 respectively. The concerned workman has also submitted a confessional statement addressed to the General Manager which is Ext. 20 from which it appears that the concerned workman has admitted that he has forged the signature of G. C. Dig in two vouchers No. 2213 dated 13-12-82 and another voucher dated 8-1-83 and has taken

payment of a sum of Rs. 1885 only. The concerned workman has further filed an application on 10-2-83 which is Ext. 21 asking information to deposit the amount of Rs. 1885 only. Thus, it is apparent that the concerned workman has himself confessed that he has forged the signature of G. C. Dig Finance Officer of the company and has drawn a total sum of Rs. 1885 on the strength of forged vouchers on two occasions. Thus it is clear that the concerned workman has committed fraud and forgery in order to defraud the employer and as such I find that the charges levelled against him have been well established in the domestic enquiry. Besides that the management's witness, G. C. Dig, P. B. Mainwader, Gopalji Prasad Singh, B. N. Baral, Head Clerk-cum Cashier have all supported that the concerned workman has committed forgery and had taken illegal payment of Rs. 1885. Thus, there is no doubt that the concerned workman has committed forgery in order to cheat the company and has taken illegal payment of Rs. 1885.

7. So far quantum of punishment is concerned the dismissal of the concerned workman is fully justified in view of the seriousness of the misconduct committed by him and therefore the action of the management in dismissing the concerned workman is perfectly justified.

8. So far the question of issuing chargesheet by the General Manager of the Area and dismissing the concerned workman is concerned it is apparent from the Model Standing Order that the General Manager is the disciplinary authority and has got full power to dismiss the concerned workman.

9. In the result, I find that the action of the management is fully justified.

10. Accordingly, I render—

AWARD

That the action of the management of Mohuda Area No. II of M/s. B.C.C. Ltd. in dismissing the concerned workman is fully justified and the concerned workman is not entitled to any relief.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 3 जनवरी, 2001

का. आ. 156—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-2001 को प्राप्त हुआ था।

[सं. एल-20012/(205)/93-आई आर (सी-I)]

एस. एस. गुप्ता, अधीन सचिव

New Delhi, the 3rd January, 2001

S.O. 156—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman which was received by the Central Government on 2-1-2001.

[No. 1-20012/(205)/93-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 10 of 1994

PARTIES:

Employers in relation to the management of Khas Kusunda Colliery of M/s. B.C.C.L.

AND

Their Workmen.

PRESENT:

Shri Sarju Prasad, Presiding Officer

APPEARANCES:

For the Employers: Shri B. Joshi, Advocate.

For the Workmen: Shri B. B. Pandey, Advocate.

STATE: Jharkhand.

INDUSTRY: Coal.

Dated, the 8th December, 2000

AWARD

By Order No. L-20012(205)/93-I.R. (Coal-I) dated 10/11th February, 1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Khas Kusunda Colliery, P.O. Kusunda, District Dhanbad of M/s. B.C.C.L. in denying regularisation of the services of S/Shri Dastath Mandal and 56 others as per list annexed is justified? If not, to what relief are the concerned workmen entitled?"

2. Shri B. B. Pandey, Advocate, who has authority for the concerned workmen, submits that he has got no instruction from the workman the concerned workmen have taken the brief from him. It appears that on the last date also there was none from the side of the workmen. Therefore, this Tribunal has got no option but to submit a 'No Dispute' Award in this reference case.

3. Accordingly, I render a 'No Dispute' Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 3 जनवरी, 2001

का. आ. 157—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-2001 को प्राप्त हुआ था।

[सं. एल-20012/244/2000-आई आर (सी-I)]

एस. एस. गुप्ता, अधीन सचिव

New Delhi, the 3rd January, 2001

S.O. 157—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 2-1-2001.

[No. L-20012/244/2000-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

REFERENCE NO. 286 OF 2000

PARTIES :

Employers in relation to the management of M/s. B.C.C.
Ltd.

AND

Their Workmen.

PRESENT :

Shri Sarju Prasad, Presiding Officer.

APPEARANCES :

For the Employers : None.

For the Workman : Shri G. M. Sharma, Secretary,
Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar (Now Jharkhand) : INDUSTRY : Coal.

Dated, the 30th November, 2000

AWARD

By Order No. L-20012/244/2000-IR(C-I) dated, the 27th September, 2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

"Whether the dismissal of Sri Amrit Kumar Mahto, General Mazdoor of Ramkanali Colliery of M/s. B.C.C. Ltd. by the management w.e.f. 29-6-1996 is legal, proper and justified? If not, to what relief is the workman entitled?"

2. To day (30-11-2000) Shri G.M. Sharma, Secretary, Rashtriya Colliery Mazdoor Sangh, appearing on behalf of the concerned workman, Shri Amrit Kumar Mahto, files a present industrial dispute Shri Sharma also prays before this present industrial dispute Shri Sharma also prays before this Tribunal to withdraw the case.

3. In view of the above prayer of Shri G.M. Sharma, Secretary of the sponsoring union, I render a 'No Dispute' Award in the present Industrial Dispute.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 3 जनवरी, 2001

का. आ. 158.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स सी. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-2001 को प्राप्त हुआ था।

[सं. एल-20012/325/99-आई आर(सी-1)]

एल. एस. गुप्ता, अवसर सचिव

New Delhi, the 3rd January, 2001

S.O. 158.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 1,

Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. C. C. Ltd. and their workman, which was received by the Central Government on 29-12-2000.

[No. L-20012/325/99-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBADIn the matter of a reference under section 10(1)(d)
(2A) of the Industrial Disputes Act, 1947.

Reference No. 71 of 2000.

PARTIES :

Employers in relation to the management of
Rajrappa Project of M/s. C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Sarju Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workman : Shri R. N. Ganguly, Advocate.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, the 7th December, 2000

AWARD

By Order No. L-20012/325/99 (C-I) dated the 28th January, 2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Rajrappa Project of M/s. C.C. Ltd. in giving punishment of demotion to lower grade from the existing grade i.e. Shovel Operator to Sri Jainandan Mahato and restoration of his date of birth as 2-1-1946 is legal and justified? If not, to what relief the concerned workman is entitled?"

2. To-day Shri R. N. Ganguly, Advocate, appearing on behalf of the concerned workman submits that the concerned workman is not interested to prosecute the case and prays to pass a 'No Dispute' Award in the industrial dispute.

3. Accordingly, I render a 'No Dispute' Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 5 जनवरी, 2001

का. आ. 159.—औद्योगिक विवाद विनियम, 1947 (1947 का 14) की धारा 17 के प्रवृत्ति में, केंद्रीय सरकार सरकार द्वारा राष्ट्रीय वि. न्यायिक वि. प्रवृत्ति के संबंध विनियमों और उनके निर्धारों के बीच, प्रवृत्ति के निर्दिष्ट औद्योगिक विवाद में केंद्रीय सरकार औद्योगिक अधिकार/अथवा न्यायिक विवाद के प्रवृत्ति को प्रवृत्ति करती है, जो केंद्रीय सरकार की 4 जनवरी, 2001 को प्राप्त हुआ था।

[सं. एन-12011/54/99-आई आर (बी-1)]

अथवा कुमार, बैंक अधिकारी

New Delhi, the 5th January, 2001

S.O. 159.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Marathwada Gramin Bank, Nanded and their workman, which was received by the Central Government on 4th January, 2001.

[No. L-12011/54/99-IR(B-I)]

AIYAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT-18/2000

Employers in relation to the Management of
Marathwada Gramin Bank, Nanded

AND

Their Workman Shri Lala, M. Gaikwad.

AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-12011/54/99/IR(B I) dated 20-1-2000 on the following schedule.

SCHEDULE

"Whether the action of the management i.e. Chairman, Marthwada Gramin Bank, H.O., Nanded, terminating the services of Sh. Lala, M. Gaikwad, Ex-Messenger, At Deola Branch, is legal, proper and justified? If not to what relief, the workman is entitled and from which date? What other directions are necessary in the matter?"

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The workman Shri Lala Madhavrao Gaikwad has submitted his Statement of Claim on the following facts.

He was employed as Messenger in Deola Branch, District Beed of Marathwada Gramin Bank w.e.f. 1-4-89. He was suspended on 30-4-1997. Charge-sheet was issued to him on 30-6-1997 and the allegations against him were that he did not comply with the provisions of regulations 17, 19 and was therefore punished for termination of service. The enquiry was conducted by Shri Zade, Enquiry Officer. He submitted Enquiry Report on 12-6-98. Dismissal Order was passed on 8-8-98. The appeal of the workman was dismissed on 30-11-98 and his services were terminated.

The workman has mentioned that he did not commit any act of insubordination. He did not cause any loss to the bank. He was working as messenger and had no concern with the collection of any amount of loan issued from Bank. He did not misappropriate any amount of the loan of the Bank. The enquiry was not conducted fairly and the order of his dismissal is not based on the any reliable evidence.

The management of the Bank contested that the amount of loan was collected by the workman Shri Lala M. Gaikwad from the customers Shri Baburao S. Londhe, Vinayak V. Londhe and Sau. Mandabai R. Londhe. He had collected this amount on 19-2-97, 25-3-97 and 13-2-97 and deposited this amount in bank on 21-4-97. This amount Rs. 2800 was therefore deposited late in the bank.

It is also alleged that from Sahabai D. Jawale, Shri Rustam P. Sheikh and Shri Babu S. Londhe Rs. 1400 was realized between 10-1-96 to 23-5-97 and he did not deposit this amount in the bank. It is also alleged that the workman was given full opportunity to submit his explanation. The enquiry officer found the charges proved and dismissal order was passed after completing enquiry.

From the side of the workman Shri Sunil Kulkarni Secretary of the union argued the case. From the Marthwada Gramin Bank Shri Rajesh Kumar argued the case.

I have perused the entire oral and documentary evidence on record produced by both the parties and have considered the arguments of both the parties.

The workman Shri Lala M. Gaikwad had submitted his affidavit and he was cross examined by Shri Rajesh Kumar, the representative of the Bank on 4-7-2000. Shri J. M. Sonmali was also examined by the workman in support of his claim, Shri J. M. Sonmali is working as Clerk in the Marathwada Gramin Bank from 1984.

Shri Sheikh Zahirrehman, the Branch Manager of Deola Branch was cross examined by Shri Sunil Kulkarni. I have considered the statements of the above witnesses.

Shri Sheikh Zahirrehman has stated that he was Branch Manager from March 1995 to July, 1999. The workman Shri Lala M. Gaikwad had deposited Rs. 2800 in the bank on 21-4-97. He had issued receipts of Rs. 1400 to Smt. Sahabai D. Jawale,

Shri Rustam P. Shaikh and Shri Babu S. Londhe, but he did not deposit Rs. 1400.

In cross examination this witness stated that the cash transaction in this bank is handled by the Cashier of the bank, Shri Lala M. Gaikwad was Daftry of the Bank. He says that he had issued order to Shri Lala M. Gaikwad to realize the loan amount of the bank from the customers. He did not submit the copy of any such order in the court. No record has been filed in the court to show that how much amount of loan was due for realization from the customers by the bank on different dates, and how much amount was realized from them on different dates.

The witness further says that he cannot submit any circular letter of his department which confers right to him to issue directions to the messenger of the bank to realize the amount. He admits that he has no right to pass any orders that the Daftry of the bank Shri Lala M. Gaikwad was authorised to recover the bank loans from the customers. He further admits that paper No. 22 Exhibit M 2(77) dated 13-2-97 does not contain the seal of the Bank. Exhibit M 3, paper No. 24 also does not bear the signature of any officer of the bank.

When the Manager of the bank himself admits that he had no authority to get the amount of the loan realized through the workman, who was daftry in the bank, then no charge sheet can be issued by the bank for the misconduct of the workman. The conduct of the workman therefore does not fall in the category of misconduct. The management of bank did not issue any statement or list that how much amount of loan was to be realized from each customer on the dates mentioned by Shri Sheikh Zakiurrehman. His statement also does not show that on various dates i.e. 13-2-97, 25-3-97 and 29-3-97 how much amount of loan was due for realization and how much amount of loan was collected by the workman and deposited in the bank on the above dates. Thus, the statement of this witnesses becomes unreliable.

The statement of J. M. Sonmali, who is clerk in the bank shows that on 21-4-97 one letter was obtained from the workman under pressure. He does not know who were the witnesses when this letter was got written. He says that Branch Manager had deposited the amount in the bank on 21-4-97. The statement of this witness also find support from the statement of the workman. The workman says that on 21-4-97 the Manager has deposited amount Rs. 2800 in the account of some customers. These statements therefore shows that the responsibility of realizing the amount and issuing receipts for the recovery for the loan rested on the Branch Manager. It was not the duty of the messenger (workman) to collect any amount of loan for the bank. No receipt book was issued by the Bank to the workman. The workman was also not authorised to issue any receipt to any customer after realization of any loan.

In these circumstances the charges framed against the workman was not based on any reliable documentary evidence.

The Enquiry Officer also did not mention in his report as to how he held the workman guilty for misappropriation when the bank had not issued any authorisation letter to the workman to collect any amount of loan. The Enquiry Officer therefore did not conduct the enquiry fairly. He only relied upon the statement of the Branch manager Shri Z. Z. Shaikh.

As I discussed above, the statement of Shri Shaikh Zakiurrehman itself is unreliable. The enquiry was therefore not based on reliable evidence. In the aforesaid circumstances the termination of Shri Lala M. Gaikwad, Ex-Messenger, is not legal, proper or justified. It is admitted to the management that the bank did not suffer any financial loss.

It is alleged that Rs. 100 was recovered from Sahabai D. Jawale on 18-1-96, but bank could not detect for more than one year that Sahabai had paid this amount on 18-1-96. The above evidence on record therefore shows that the enquiry was not conducted fairly.

In view of the circumstances and evidence discussed above, the order of termination of Shri Lala M. Gaikwad, Ex-Messenger is totally unjustified and he should be reinstated.

ORDER

The action of the management i.e. Chairman, Marathwada Gramin Bank, Head Office, Nanded in terminating the services of Shri Lala M. Gaikwad, Ex-Messenger at Deola Branch is not legal, proper and justified. The termination order is not based on reliable documentary or oral evidence. The workman is therefore directed to be reinstated in service. He shall also get his full back wages from the date of his suspension i.e. 30-4-97 with continuity in service.

The reference is answered accordingly.

Date : 12-12-2000.

B. G. SAXENA, Presiding Officer
नई दिल्ली, 5 जनवरी, 2001

का. प्रा. 160.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार क्षेत्रीय ग्रामीण बैंक, डंगरपुर के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अन्वेष में निरिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय उदयपुर (राज.) के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 जनवरी, 2001 को प्राप्त हुआ था।

[सं. एल-12012/118/96-आई आर (बी-1)]
राज्य कुपार, डेस्क अधिकारी

New Delhi, the 5th January, 2001

S.O. 160.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award of the Industrial Tribunal/Labour Court Udaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Regional Rural Bank, Dhangarpur and their workman, which was received by the Central Government on 4-1-2001.

[No. L-12012/118/96-IR(B-I)]
AJAY KUMAR, Desk Officer

अनुबन्ध

न्यायालय : न्यायाधीश, केन्द्रीय औद्योगिक अधिकरण एवं
श्रम-न्यायालय, उदयपुर (राज.)

पीठासीन अधिकारी: श्री चांदमल तोतला, आर. एच. जे. एस.

प्रकरण संख्या: 9/97

प्रो. वि. (के. स.)

श्री शंकरपुरी गोस्वामी पुत्र श्री गुलाबपुरी निवासी
नाहरपुरा तहसील बागीदौरा जिला बांसवाड़ा (राज.)

—प्रार्थी

—बनाम

1. श्री चैयरमैन, डूंगरपुर, बांसवाड़ा क्षेत्रीय ग्रामीण
बैंक, शास्त्री मार्ग कालेज रोड डूंगरपुर (राज.)

2. श्री प्रबन्धक, डूंगरपुर-बांसवाड़ा क्षेत्रीय ग्रामीण
बैंक, शास्त्री उदयपुर बड़ा तहसील बागीदौरा जिला बांसवाड़ा
(राज.)

—विपक्षीय

उपस्थित :

श्री एस. पी. जोशी, प्रार्थी की ओर से।

श्री तेज प्रकाश शर्मा, विपक्षीय की ओर से।

दिनांक : 6-9-2000

: निर्णय :

औद्योगिक विवाद अधिनियम के प्रावधानों के अंतर्गत
श्रम मंत्रालय, भारत-सरकार की विज्ञप्ति संख्या एल. 12012/
118/96-आई. आर. (बी) दिनांक: 13-8-97
से श्रमिक कर्मचारी तथा उसके नियोजक के मध्य उत्पन्न
निम्नलिखित विवाद इस श्रम न्यायालय को अधिनियम
हेतु प्रेषित किया गया तथा दिनांक 18-9-97 को नियमित
औद्योगिक विवाद संख्या 9/97 पंजीबद्ध हुआ।

“क्या अध्यक्ष डूंगरपुर बांसवाड़ा क्षेत्रीय ग्रामीण बैंक
डूंगरपुर द्वारा कर्मकार श्री शंकरपुरी पुत्र गुलाबपुरी की
सेवाएं दि. 7-4-92 से समाप्त करने की कार्यवाही
वैध एवं उचित है? यदि नहीं तो संबंधित कर्मकार
किस अनुतोष का अधिकारी है?”

संबंधित श्रमिक श्री शंकरपुरी ने अपने आवेदन में
बताया है कि उसने विपक्षी संख्या 02 के अधीन 1-4-89
से 06-4-92 तक संदेशवाहक व चतुर्थ श्रेणी कर्मचारी के
पद पर दैनिक दैनिक कार्य किया तथा 06-4-92 को
विपक्षी संख्या : 02 ने मौखिक आवेदन से उसे सेवा से
हटा दिया व पृष्ठने पर बताया कि विपक्षी संख्या : 01 के
निर्देश पर सेवा से अलग किया जा रहा है। आवेदन में
यह भी बताया कि प्रार्थी ने अपनी इस सेवा समाप्ति को
सिविल वाद से सिविल न्यायालय में चुनौती दी जो क्षेत्रा-
धिकार में नहीं माना जाकर खारिज हुआ। तत्पश्चात्
राजस्थान उच्च न्यायालय में वाद किया जहां से श्रम
न्यायालय जाने का निर्देश दिया गया। तदनु-वधि के

वेतन सहित पुनः सेवा में रखे जाने की प्रार्थना की गयी
है।

विपक्षी के उत्तर में प्रारम्भिक आपत्ति के तौर पर
बताया गया है कि प्रार्थी ने कभी भी अपने सेवाकाल में
बारह माह में 240 या अधिक दिवस कार्य नहीं किया
जिस कारण से तथा प्रार्थी को आकस्मिक कार्य के लिए
आकस्मिक श्रमिक के तौर पर रखा गया था जो कार्य
पूर्ण होने से सेवाएं समाप्त हुईं। अतः प्रार्थी को औद्योगिक विवाद
अधिनियम के अंतर्गत कोई लाभ या अनुतोष देय नहीं होती।
यह भी बताया गया कि प्रार्थी ने सिविल न्यायालय में इस सेवा
मुक्ति को चुनौती देते हुए अस्थाई निरोधज्ञा का आवेदन प्रस्तुत
किया जो 21-5-92 को अस्वीकार हुआ। अतः उन्होंने
आधारों पर उसी सेवामुक्ति को इस न्यायालय में चुनौती
नहीं दी जा सकती। उत्तर के अनुसार नियुक्ति आवेदन नहीं
दिया गया तथा नियुक्ति व नियमितकरण नियम व प्रक्रिया
के अनुसार होता है जिसके अंतर्गत आवश्यक औद्योगिक योग्यता रखने
वाले निर्धारित आयु के प्रत्यर्थी से आवेदन पत्र आमंत्रित
किये जाते हैं जिनका नियोजन कार्यालय में पंजीकरण
होना चाहिए व अन्य शर्तें भी पूरी होनी चाहिए तथा
प्रार्थी को आकस्मिक कार्य के लिए आकस्मिक तौर से रखा
गया। आवेदन में अंकित अन्य तथ्यों के उत्तर
में बताया गया कि आकस्मिक कार्य की पूर्ति के लिए आक-
स्मिक श्रमिक के रूप में प्रार्थी को दैनिक वेतन पर रखा
गया था जिस हेतु कोई नियुक्ति आवेदन नहीं दिया गया
तथा आकस्मिक कार्य समाप्त होने पर स्वतः सेवा समाप्त
हुई जिसके लिए कोई आवेदन जारी करने का प्रारंभ नहीं
है। बताया गया कि इस तरह का आकस्मिक कार्य का
कोई रेकार्ड विपक्षी के यहां नहीं रखा जाता तथा मार्ग
स्थाई नियुक्ति को मांग भी नहीं कर सकता क्योंकि इसी
श्रमिकों को नियुक्ति की निर्धारित प्रक्रिया अनुसार कार्य पर
नहीं रखा गया था तथा कितने रिक्त पद के लिए भी नहीं
रखा गया था। यह भी बताया गया कि जब मानव
सिविल न्यायालय द्वारा अंतर्गत कर दिया गया तो यह
प्रार्थना पत्र चलने योग्य नहीं रह जाता। वर्य से ही निरो-
धन अस्वीकार किये जाने की प्रार्थना की गयी।

प्रार्थी की ओर से साक्ष्य में स्वयं प्रार्थी श्री शंकरपुरी का शपथ-
पत्र प्रस्तुत किया गया जिसमें आवेदन के अनुसार बताया
गया — विपक्षी की ओर से विज्ञप्ति संख्या : 02 बाब के
अधिकारी का शपथ पत्र प्रस्तुत किया गया जिसमें उत्तर
के अनुसार बताया गया इन साक्ष्य गग से प्रतिनिधित्व
भी हुआ।

प्रार्थी ने जो दस्तावेज प्रस्तुत किये हैं वे सम्मानित उच्च
न्यायालय के आदेश की प्रतिलिपि की प्रतिलिपि विज्ञप्ति
संख्या : 01 की प्रार्थी द्वारा प्रस्तुत किये गये कथित
आवेदन व प्रार्थी को भेजा गया कथित उत्तर की प्रतिलिपियां
एग्जीडि-1 व डी-2 तथा प्रार्थी द्वारा इस अवधि में प्रति-
माह किये गये कार्य का विवरण एग्जीडि-3 व न्यायालय
श्री मुन्सिफ खैराबाद के 21-5-92 के आदेश की प्रतिलिपि

की प्रतिलिपि है। विपक्षी गवाह ने अपने प्रतिपरिक्षण में एग्जी-डी-3 विवरण ठीक होने से इंकार नहीं किया।

अभ्यवसा के प्रतिनिधिगण के तर्क सुने गये—लिखित तर्क भी प्रस्तुत किये गये जिनका व पत्रावली का संवर्धन कया गया।

प्रस्तुत किये गये तर्कों व कथित तथ्यों को देखते हुए प्रकरण में प्रार्थी की कार्य अवधि व कार्य विवरण पर विचार करते हुए कार्य व नियोजन की प्रकृति पर भी निर्णय लिया जाता है तथा यदि देखा जाता है कि क्या प्रार्थी की सेवाएँ एक वर्ष या अधिक अवधि से लगातार रही तथा यदि हा तो क्या धीरे धीरे अनुसार सेवाएँ समाप्त की गयी। यदि नहीं तो अब क्या प्रस्ताव/अनुतोष है।

प्रार्थी ने अपने साक्ष्य में आवेदन के अनुसार बताते हुए प्रकट किया है कि वह 1-4-89 से 6-4-92 तक लगातार संवेगदाहक व चतुर्थ श्रेणी के पद पर कार्यरत था—प्रति-परिक्षण में बताया कि मौखिक आवेदन से जितना निष्कर्ष पत्र के कार्य पर रखा गया तथा वह पानी पिलाने व सफाई का कार्य करता रहा एवं उसकी उत्पत्ति पंजिका में अंकित नहीं की जाती थी। यह भी बताया है कि उसकी कार्य अवधि के दौरान निष्कर्षों के लिये विज्ञापन निकाला था तथा उसने भी फार्म भरा था एवं स्वाई जोहरी के लिए निर्धारित प्रक्रिया बनी हुई है। प्रार्थी के अनुसार वह अकेला ही इस तरह का कर्मचारी बैक में था। इस तरह यह निष्कर्ष लेने में कोई आशंका नहीं हो सकती है कि प्रार्थी प्राकस्मिक तौर से कार्य पर इसलिए लगाया गया कि निर्धारित व चयन प्रक्रिया से निष्पन्न कर्मचारी उपलब्ध नहीं था तथा निर्धारित निष्कर्ष के लिए प्रार्थी ने अपनी के साथ में आवेदन दिया। यह भी स्पष्ट होता है कि प्रार्थी का चयन नहीं हुआ।

विपक्षी बैक शाखा के अधिकारी श्री जम्पू ब्याल ने बताया है कि प्रार्थी के कितने बारह मासों में 210 दिन नहीं हुए तथा प्राकस्मिक कार्य पर रखा गया था व नियमित भर्ती चयन व प्रक्रिया अनुसार चयन कि जा कर होती है जिसके लिए मौखिक योग्यता, आयु, नियोजन जायगीत में पंजीयन इत्यादि की पत्रताएँ होना भी आवश्यक है। प्रतिपरिक्षण में बताया है कि एग्जी : डी-3 में अंकित कार्य दिवस व भुगतान के लिए कोई विवाद नहीं है।

इस तरह विवरण एग्जी-डी-3 में अंकित अनुसार उन माहों में अंकित कार्यदिन पर प्रार्थी का कार्यरत पर होता तथा अंकित भुगतान किया जाना प्रमाणित है। इस विवरण के अनुसार प्रार्थी ने अप्रैल-89 से कार्य शुरू किया तथा जनवरी-92 तक कार्य किया। नियोजन के प्रारम्भ के बारह माह अप्रैल से मार्च-90 की अवधि में प्रार्थी के 240 दिन होते हैं तथा यह प्रतीत होता है कि जनवरी-92 में समाप्त होने वाले बारह में भी प्रार्थी के कार्य दिवस 240 से कहीं अधिक होते हैं। बीच के बारह माह देखें तो भी यह प्रकट होता है कि प्रत्येक बारह माह में 240 दिवस

हो रहे हैं जो स्थिति रविवार/साप्ताहिक अवकाश को शामिल नहीं करी हुए है। अतः निष्कर्ष स्पष्ट है कि 31-1-92 तक प्रार्थी की सेवाएँ एक वर्ष से अधिक अवधि से—अप्रैल-89 से अर्थात् 34 माह से लगातार थीं।

विपक्षी ने उत्तर में ही व साक्ष्य में ही बताया है कि प्राकस्मिक कार्य समाप्त होने से नियोजन समाप्त हुआ। इस तरह नियोजन अर्थात् सेवा समाप्त किया जाना प्रमाणित है—जहाँ गये तथ्यों के समक्ष यह निष्कर्ष भी स्पष्ट है कि कोई नोटिस या नोटिस वेतन व क्षतिपूर्ति आवा नहीं की गयी।

प्रार्थी अकेला पर काम करी वाला कर्मचारी था तथा उसके स्थान पर अन्य किसी को इस तरह से नियुक्त किया जाना नहीं बताया जाता है तथा विपक्षी के यहाँ नियमित निष्कर्षों को अंकित है। अतः यह प्रतीत होता है कि ऐसे कोई भी कर्मचारी की आवश्यकता नहीं रही अतः नियोजन समाप्त किया गया—विपक्षी के अनुसार नियोजन समाप्त करना आवश्यक हो सकता था, परन्तु उस परिस्थिति में 25-एफ के प्रावधानों की पालना की जानी चाहिए थी। अतः 25-एफ के प्रावधानों का उल्लंघन करते हुए सेवाएँ समाप्त किया जाना प्रमाणित है।

प्रार्थी की ओर से तर्क दिया गया है कि प्रार्थी को पुनः सेवा में स्थापित किया जाना चाहिए—इन तर्कों के समर्थन में प्रार्थी ने लिखित तर्कों में विभिन्न व्यवस्थाओं का उल्लेख किया गया जो इस प्रकार हैं जिनका आदरपूर्वक अवलोकन कर प्रकरण के तथ्यों के संदर्भ में विचार किया गया।

(1) 1999 (82) एफ.एल.आर.-39-पी.एस. काये बनान नगवन नैदर वनार नैयुकेस्वरिय कम्पनी-बोम्बे उच्च न्यायालय।

(2) पैटर्न जॉ कैसेज (राज.)-1999 पेज-295-नगर पालिका कोश बनान श्रमति सुणीला वाली।

(3) पैटर्न लॉ कपेज (राज.) यू.सी.-1999-प्रचयन इन्फूक्वेट ट्रेड अननः बराम लक्ष्मण सिंह।

प्रतिनिधि विपक्षी ने तर्क प्रस्तुत किये हैं कि प्रार्थी प्राकस्मिक तरह से प्राकस्मिक कार्य पर दैनिक वेतन पर नियोजित हुआ था जिस तरह के कर्मचारियों को विपक्षी राज्य के जनकश संस्था में कोई अधिकार उत्पन्न नहीं होने—निर्दिष्ट निष्कर्ष के लिए एक निश्चित प्रक्रिया है जिसके अनुसार चयन व निष्कर्ष होती है तथा प्रार्थी के लिए ऐसी किसी प्रक्रिया की पालना नहीं की गयी वरन् उसे पूरी तरह अवशारी तौर से काम चजाने के लिए रखा गया—ऐसे कर्मचारियों को निर्धारित करने हेतु कोई नियम नहीं है तथा अब ऐसे किसी कर्मचारी की आवश्यकता नहीं है। बताया गया कि इन परिस्थितियों में प्रार्थी को कोई अनुचित देय नहीं होती। इन तर्कों के समर्थन में निम्नलिखित व्यवस्थाएँ प्रस्तुत की गयी जिनका आदरपूर्वक अवलोकन किया गया।

(1) ए. आई. प्रार. 1992 एन. जो. -2070-डायरेक्टर आफ इस्टीमेट मैनेजमेंट डबलमेंट बनाम श्रीमति पुष्पा ।

(2) ए. आई. प्रार. 1994-एस. सी. 1638-माध्यमिक शिक्षा परिषद बनाम अनिल कुमार मिश्रा ।

(3) (1997) 4 एस. सी. सी. 391 हिमाचल कुशार बनाम स्टेट ऑफ बिहार ।

(4) फायर स्टोन टायर एण्ड रबर कंपनी बनाम बैंगूर वर्कमेंस-उच्चतम न्यायालय ।

विपक्षी ने अपने लिखित तर्कों में अन्य कई व्यवस्थाओं का भी उल्लेख किया है, परन्तु अवलोकनार्थ प्रस्तुत नहीं की गयी ।

विधि का यह लगभग निश्चित सा सिद्धांत है कि अपवाद स्वरूप मामलों को छोड़कर राज्य के अधीन नियोजन में केवल सेवा या सेवाकाल के आधार पर दैनिक वैनिक को नियमित केवल मात्र नियम या निति के अंतर्गत ही किया जा सकता है ।

धारा 25-एफ का उल्लंघन करने हुए सेवा समाप्ति पर पुनर्स्थापन के अलावा और अन्य अनुतोष भी प्रदान की जा सकती है तथा एकीकृत क्षतिपूर्ति राशि प्रदान किया जाना भी एक उचित वैकल्पिक अनुतोष है । सम्मानीय उच्चतम व उच्च न्यायालय ने भी कई मामलों में इसी तरह का अभिमत व्यक्त किया है जिनमें से कुछ इस प्रकार हैं तथा आकस्मिक तौर से बिना किसी प्रक्रिया की पालना किये दैनिक वेतन पर नियोजित कर्मचारियों तथा उनके नियमित किये जाने के परिणामस्वरूप उत्पन्न होने वाले दुष्परिणामों, प्रवृत्ति व प्रभावों इत्यादि के लिये सम्मानीय उच्चतम न्यायालय ने ए. आई. प्रार. 1992 एस. सी. 789—देहली हाटिकलचर बनाम देहली प्रशासन में विस्तार से बताया है ।

(1) 1995 एस. सी. सी. (एल. एण्ड एस.) —142 रोलस्टन रोहन बनाम केन्द्रीय औद्योग. अधि. ।

(2) 1995 एस. सी. सी. (एल. एण्ड एस.) —529 सुरजीत घोष बनाम यु. को. बैंक ।

(3) 1995 एस. सी. सी. (एल. एण्ड एस.) —141 गुजरात स्टेट रोड ट्रान्सपोर्ट कारपोरेशन बनाम मुल्लुअमरा ।

(4) एल. एल. आर. 1996 (1)—644 गीहरभा कोपरेंटिंग मार्केटिंग बनाम प्रिसार्डिंग आफिसर ।

(5) एल. एल. आर. 1993—524 मै. आईशर गुडअर्थ बनाम राजेन्द्र कुमार सोनी ।

(6) 1998 एस. सी. सी. (एल. एण्ड एस.) —170 रतन सिंह बनाम युनियन आफ इण्डिया ।

(7) वेस्टर्न ला कलेज (राज)-199(1)—310 नर्मदोर सिंह बनाम स्टेट बैंक आफ राजस्थान ।

प्रस्तुत प्रकरण में :

— प्रार्थी को आकस्मिक तौर से बिना किसी प्रक्रिया की पालना किये दैनिक वेतन पर लगाया गया या तथा विपक्षी के यहाँ नियुक्ति के लिये योग्यता प्राप्तता व चयन की निश्चित प्रक्रिया है ।

— प्रार्थी के स्थान पर या उसके बाव में ऐसा कर्मचारी रखा जाना नहीं बताया गया ।

— वापस नियोजन में करने पर भी दैनिक वैनिक ही रहेगा अनिश्चित या लम्बे काल तक रहेगा ।

— नियोजन समाप्त हुए आठ वर्ष हो रहे हैं तथा जीवन के 23, 24 से 32 वर्ष की आयु में तमाम परिस्थितियाँ सामान्य रहते यही माना जाना चाहिये कि अन्य कार्य करके निपुणता, योग्यता या अनुभव प्राप्त किया है । प्रार्थी की साक्ष्य यह प्रतीत होता है कि नियमित चयन प्रक्रिया में वह सफल नहीं हो सका ।

— वापस लगने पर प्रार्थी को अभी जो भी कार्य कर रहा है वह छोड़ना होगा तथा फिर भी दैनिक वैनिक ही रहेगा । उपरोक्त तमाम तथ्यों को देखते हुए प्रार्थी को वापस इस नियोजन में रखने का कोई औचित्य प्रतीत नहीं होता व निश्चित तौर से उचित क्षतिपूर्ति राशि प्रदान किया जाना ही उचित अनुतोष है ।

क्षतिपूर्ति निर्धारण में जो महत्व के तथ्य होते हैं उनका उल्लेख हो चुका है। सेवा लगभग पौने तीन वर्ष की रही—सेवा समाप्ति के समय 47/- रु. प्रतिदिन दिया जाता था अब ऐसे कार्य के लिये कम से कम 60/- रु. देय है—प्रार्थी स्वयं के अनुसार 30/- रु. प्रतिदिन तो वह अर्जित करता है — दिनांक रेफ्रेन्स से अब तक देय शतप्रतिशत वेतन का 25 प्रतिशत लगभग 13,000/- रु. होता है तथा ध्यान में रखा जाना है कि यदि उचित पाया जावे तो दिनांक अर्वाह से ही राशि प्रदान की जाती है—अब तक की सेवा लगातार मानें तो भी अब वर्तमान दरों के अनुसार भी साढ़े छः माह का वेतन देय होता है जो कि इधरा 12,000/- तक ही हो सकता है । इस सब स्थिति को देखते हुए प्रार्थी क्षतिपूर्ति रुपये 40,000/- दिया जाना उचित है जो कि वर्तमान दरों के अनुसार भी लगभग सवा दो वर्ष तक का वेतन होता है ।

तदनुसार यह विवाद अधिनिर्णित होता है तथा विपक्ष के वाणिज्यिक संस्थान होने से समय पर अदायगी नहीं होने पर 14 प्रतिशत वार्षिक दर से ब्याज प्रदान करेगा ।

आदेश : अम संत्रालय भारत सरकार की विजय संख्या : एल-12012/118/96-आई. प्रार. (बी) दिनांक 13-8-97 से प्रेषित विवाद इस तरह अधिनिर्णित होता है कि "अध्यक्ष इंदूरपुर सांसदाई क्षेत्रीय ग्रामीण बैंक इंदूरपुर द्वारा कर्मकार श्री शंकरपुरी गोस्वामी पत्र श्री गुलाबपुरी की सेवाएं दिनांक 7-4-92 से समाप्त करना उचित एवं वैध

नहीं था। इस अवैधानिक सेवा समाप्ति के परिणामस्वरूप प्रार्थी श्रमिक श्री शंकरपुरी गोस्वामी अपने नियोजक अध्यक्ष डूंगरपुर बांसवाड़ा क्षेत्रीय ग्रामीण बैंक डूंगरपुर से रुपये 40,000/- (चालीस हजार रु.) क्षतिपूर्ति राशि प्राप्त करने का अधिकारी है। क्षतिपूर्ति राशि रु. 40,000/- अदा हो जाने पर नियोजक के श्रमिक के प्रति औद्योगिक विवाद अधिनियम के प्रावधानों के अन्तर्गत दायित्व समाप्त हो जायेगा राशि रुपये 40,000/- प्रकाशन तिथि से दो माह में अदा कर दी जावे अन्यथा इस राशि पर 14 प्रतिशत वार्षिक की दर से ब्याज देय होगा” — पंचाट प्रकाशनार्थ श्रम मंत्रालय भारत सरकार को भेजा जावे।

निर्णय व आदेश आज दिनांक 6-9-2000 को न्यायालय में लिखाया जाकर हस्ताक्षर कर सुनाया गया।

सी. एम. तोतला, न्यायाधीश

नई दिल्ली, 5 जनवरी, 2001

का.प्रा. 161:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जनरल मैनेजर, कॉर्डिट फैक्ट्री के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 5-1-2001 को प्राप्त हुआ था।

[सं. एल-14012/2/2000-आई आर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 5th January, 2001

S.O. 161.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of General Manager, Cordite Factory, and their workman, which was received by the Central Government on 5-1-2001.

[No. L-14012/2/2000-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, CHENNAI

Thursday, the 30th November, 2000

PRESENT :

K. Karthikeyan, Presiding Officer,

Industrial Dispute No. 11/2000

(In the matter of the dispute for adjudication under Section 10(1) (d) & Sub-Section 2(A) of the Industrial Disputes Act, 1947 between the Workman and the Management of The General Manager, Cordite Factory, Aravankadu).

BETWEEN

K. Pathran
S/o Sri Kalimuthu.

Workman|I Party

AND

The General Manager,
Cordite Factory,
Aravankadu.

Management|II Party.

APPEARANCE :

For the Workman : Sri, G. Gunaseelan, Authorised Representative.

For the Management : Sri. K. Sivajothi, Addl. Central Govt. Standing Counsel.

Reference : Order No. L-14012/2/2000|IR(DU)
dt. 30-5-2000, Government of India, Ministry of Labour, New Delhi.

This dispute on coming up before me for final hearing on 30-10-2000, upon perusing the reference Claim Statement, Counter Statement and other material papers on record, the oral evidence and documentary evidence let in on the either side and upon hearing the arguments of Authorised Representative for the Workman and Sri K. Sivajothi, Addl. Central Govt. Standing Counsel for the Management and this dispute having stood over till this date for consideration, this Tribunal passed the following :—

AWARD

This reference by Central Government in exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Disputes Act, 1947 in respect of dispute between Sri. K. Pathram, Workman and the General Manager, Cordite Factory, Aravankadu, Management mentioned as schedule appended to the order of reference. The schedule reads as follows :—

“Whether the action of the management of Cordite Factory, Aravankadu, Nilgiris in terminating the services of the Workman Sri. K. Pathran w.e.f. 3-4-95 is justified? If not, to what relief the workman is entitled?”

On receipt of this reference, this Industrial Dispute has been taken on file of this Tribunal on 26-6-2000 as Industrial Dispute No. 11/2000. On receipt of the notice from this Tribunal, the First Party Workman alongwith his Authorised Representative and the Second Party Management with their Counsel appeared in Court and filed their respective Claim Statement and Counter Statement.

1. The averment in the Claim Statement of the Workman|I Party|Petitioner are briefly as follows:—

The Petitioner's father, Sri Kalimuthu was working in Cordite Factory, Aravankadu as a permanent worker for more than 27 years as Fitter Gen. (Skilled) and rendered an unblemished service. He expired on 30-11-90 while he was in service. Based on the representation by the family of that worker and as per service condition adopted by the Respondent Management, the Petitioner was offered an appointment in the company on compassionate grounds. The Petitioner was

appointed as Durwan in the pay-scale of Rs. 700 (pre-revised) on 13-10-92 in Security Department. Based on the order of appointment, the Petitioner reported for duty on 19-10-92. During his services in the Respondent Company, the Petitioner has rendered his services efficiently and diligently. But, the Petitioner was disturbed on number of occasions want only by some of his superiors with ulterior motive in regularizing the leave and the Petitioner has been forced by them to resign from the job on his own. Due to land dispute with one office colleague, Shri Bannari Kangan, who is working as Sweeper in General Manager's residence and by taking due advantage out of it, he has influenced the PA to the General Manager and threatened the Petitioner to hand over the disputed land to him, failing which the Petitioner would be terminated from service. Since the Petitioner has refused for the same, as the land was in his possession, he faced with number of troubles in his work deliberately making loss of pay in spite of the fact the Petitioner has submitted proper leave application, with prior permission etc. which were destroyed by them. As the Petitioner has not yielded to their request which is case of civil nature, existing outside the factory premises, he was issued a termination order, surprisingly on 3-4-95 without mentioning any justification for the termination. The Petitioner was not given any opportunity for making any representation or to explain his stand before the higher Officers. The Petitioner was appointed on compassionate grounds, only to protect his family member's livelihood without any complaint. When there was no such complaint from the family members, the Respondent should not have issued any termination order to the Petitioner without any reason or justification. The termination of the service of the Petitioner affected his entire family livelihood very badly. The Petitioner alongwith his widowed mother made numerous representations to the authority to reconsider his termination order and to allow him to work to safeguard the livelihood of the members of the family for which he was given appointment. The management had replied the Petitioner that he was terminated from service for certain misconducts i.e. unauthorised absence. The management should have given the Petitioner, an opportunity to explain his stand and the alleged misconduct should have been proved. No opportunity was given to the Petitioner and no enquiry was conducted for the Petitioner to explain the circumstances. The impugned termination order does not speak about any of the misconduct, but it is mentioned that the termination was effected by invoking the Arbitrary Clause provided in the Appointment Order. The termination effected for the alleged misconduct of unauthorised absence is only an afterthought. The Respondent Management has violated the principle of natural justice before terminating the Petitioner from the services. They have also violated all labour legislations, standing orders and laid down procedures and rules. Thus, the termination of the Petitioner from the service is illegal, unjust, invalid and arbitrary. The Petitioner has put in continuous service for more than two and a half years from 19-10-92 to 3-4-95 and his last drawn wages is Rs. 2,100 per month. Before passing the order of termination, the provisions of Section-25N of the Industrial Disputes Act has not been followed. Hence, the impugned order of termination is illegal and not

sustainable before law. Though, the Petitioner has made representations through the Union to the Management, no fruitful reply regarding the reconsideration for reinstatement of service of the Petitioner from the Management is received. No favourable reply was given by the Management, though, the Petitioner was waiting for more than a year. All the attempts made were become futile. Hence, without any alternative, the Petitioner has raised this dispute before the labour authorities for conciliation. As the attempt of conciliation was ended in a failure, the Petitioner has to raised this dispute before this Tribunal through a reference by the Government. Hence, it is prayed that this Hon'ble Tribunal may be pleased to pass an award holding that the non-employment of the Petitioner is illegal, unjust, invalid and arbitrary and in violation of principles of natural justice and directing the Respondent Management to reinstate the petitioner in service with continuity of service, full backwages and all other attendant benefits and with cost.

2. The averments in the Counter Statement of the Second Party Management Respondent are briefly as follows:—

The Second Party Management (hereinafter mentioned as "Respondent") submits that this Hon'ble Tribunal has no jurisdiction to adjudicate this case as this case does not fall strictly under the Industrial Disputes Act, 1947. It is not a dispute as defined in Section-2K or Section-2A of the said Act. The Petitioner is raising the dispute, after a lapse of more than four years and he has no plausible explanation to justify the delay. The Petitioner was given appointment on compassionate grounds, consequent on the death of his father, while in service. The Petitioner was appointed as Durwan w.e.f. 19-10-1992 on the condition that he will have to maintain the family of Late M. Kalimuthu, His appointment was governed by the CCS(TS) Rules, 1965. The prime and foremost conditions of the appointment of the Petitioner have already stipulated in the appointment order itself as Clause 2A to 2D. The first two years of his service will be treated as Probationary Period. His service may be terminated at any time during the Probationary Period without notice. After satisfactory completion of the Probationary Period, his appointment and service will be temporary. After the Probationary Period, the termination of his service will require one month's notice in writing on either side. The Petitioner remained absent from duty unauthorisedly without prior permission or without any leave in his credit being a probationer from the date of appointment from 19-10-92 to 18-4-94 for more than 151 days and proved himself to be habituated to unauthorised absence from duty creating the need for a strong decision on the question of retaining him in service or otherwise. The oral warnings/advice of the Security Officer under whom the Petitioner was working and the Counselling of the Labour Officer of the Respondent factory proved futile to reform him. This is evident from the warning memos issued by the Security Officer to the Petitioner for more than five occasions. That apart due to dissatisfactory performance of the Petitioner, the Probationary Period of the Petitioner was extended by another six months from the date of completion of two years from 18-10-94 with a view to give one more fair opportunity for getting himself reformed

being an employment of assistance case. The Petitioner did not show any improved performance, during the extended period of probation, except sticking to his own tendency of absenting himself from duty unauthorisedly from 5-12-94 to 28-12-94. Again, the Petitioner remained absent from duty from 8-12-95 to 27-1-95; the extended period of probation. Therefore, a show-cause notice was issued to the Petitioner on 20-9-94 directing him to show-cause as to why his services should not be terminated by giving him ten days time to furnish his explanation. Since the explanation submitted by the Petitioner was not satisfactory, a written warning was administered on him on 14-11-94, advising him to be more careful in future and to improve his attendance and to be conscious of his duty, failing which necessary administrative action will be taken against him without notice, and a direction was given to the Security Officer to watch the attendance of the Petitioner. The warning issued to him, did not yield any fruitful result. Therefore, the management had no other alternative but to terminate the services of the Petitioner w.e.f. 3-4-95 in terms of Clause-2B of the Appointment Order dt. 13-10-92 as the Petitioner's services were no longer required, by passing an order simpliciter. The duty of the Durwan is so vital that he is responsible for safety and security of the Government properly and he is also expected to maintain discipline and devotion to duty. The Petitioner had not made any complaint while in service, about the alleged action of some of the Supervisors, by forcing him with ulterior motives, to resign his job. No association/union represented the matter of the Petitioner before the Respondent. The Petitioner has no plausible explanation/clinching evidence to justify the inordinate delay in raising this dispute before the labour forum. Hence, the Hon'ble Tribunal may be pleased to dismiss the claim of the Petitioner with cost.

4. The Point for my consideration is :—

"Whether the action of the management of Cordite Factory, Aravankadu, Nilgiris in terminating the services of the workman Sri K. Pathran w.e.f. 3-4-95 is justified? If not, to what relief the workman is entitled?"

Point—When the matter was taken up for enquiry, the Workman, First Party was examined as WW1 and 8 documents were marked as Exhibits W1 to W8. One Foreman has been examined as MW1, the only witness for the Management/Second Party. Eight documents on the side of the Management were marked as Exhibits M1 to M8. On completion of the evidence on either side, the authorised representative for the Workman and the Addl. Central Government Standing Counsel for the Management have advanced their arguments.

5 The Workman, Shri K. Pathran (hereinafter mentioned as the "Petitioner") was offered appointment in the Cordite Factory, Aravankadu, by the Second Party Management (hereinafter mentioned as the "Respondent") on compassionate grounds. It is admitted that the Father of the Petitioner, Sri Kalimuthu was working in the Respondent's Factory as Fitter Gen. (Skilled) and he died while in service. The Petitioner was offered an appointment by the

Respondent, on the death of his Father. The xerox copy of the order dt. 13-10-92, as an offer of appointment, on compassionate ground, by the Respondent to the Petitioner, is Ex. W1. The terms and conditions of the appointment offered under Ex. W1 have been clearly mentioned. Clause-2(1) of Ex. W1 reads as follows :—

"The purpose of offering appointment to you is to maintain the family of Late Sri M. Kalimuthu. In case any complaint is received, your services are liable to be terminated without notice".

Thus, it is seen that the said offer of appointment was made by the Respondent to the Petitioner, on compassionate ground to maintain the family of the deceased worker of the Respondent Factory, Sri M. Kalimuthu, the Father of the Petitioner. The Petitioner was offered an appointment under Ex. W1 as a temporary Durwan at the Cordite Factory, Aravankadu subject to the terms and conditions, mentioned therein. It is admitted that in pursuance of Ex. W1, the Petitioner was appointed as Durwan w.e.f. 19-10-92. It is the contention of the Respondent in their Counter Statement that the said appointment was covered by the CCS (TS) Rules, 1964. This contention has not been disputed by the Petitioner. The Petitioner as WW1 has admitted that he joined duty in the Respondent's Factory as Durwan in the Security Department. In Ex. W1, under the terms and conditions of service under Clause 2, it is stated as follows :—

- A. The first two years of your service will be treated as Probationary period.
- B. Your service may be terminated at any time during the Probationary period, without notice.
- C. After satisfactory completion of the Probationary period, your appointment and service will be temporary.
- D. After the Probationary period, the termination of your service will require one month's notice in writing on either side.

MW1 has deposed that as per the Government order, the Probation period can be extended if his services in the first two years are not satisfactory. This fact is not disputed on the side of the Petitioner. It is the further evidence of MW1 that during the first two years of probation, the Claimant, Sri K. Pathran was not attending to his duties regularly and that he was very irregular and used to be absent for his work, without getting proper sanction for leave. It is his further evidence that the appointing authority finds that the Workman has not satisfactorily done his duties in the first two years of probation, they can either terminate his service even during the Probationary period or extend the Probation period, on completion of two years of Probation period. He would further say that because of the irregular attitude of Pathran, five warnings have been issued at the Section level itself and they are Ex. W7 series. It is also the evidence of the Petitioner as WW1 that for his absence from duty, Cordite Factory Management issued him notices and the xerox copies of those five notices dated 4-12-93, 8-2-94, 11-2-94, 16-3-94

and 5-4-94 are Ex. W7 series. In the first warning notice dated 4-12-93, it is stated that, Shri K. Pathran, Durwan, DW-62 was remained absent, without proper sanction of leave/intimation on 31-10-93, 3-11-93, 6-11-93, 10-11-93 to 12-11-93 and 20-11-93. In that warning notice itself, it is stated that he has been warned verbally for a number of times and he has failed to show any improvement in his attendance and further continued to be remain absent, without prior sanction of leave at very frequent intervals. Under the warning notice dated 8-2-94, it is stated that this Petitioner was remained absent, without prior sanction of leave/intimation from 16-1-94 to 23-1-94. In the third warning notice dated 11-2-94, it is stated that the Petitioner was remained absent, without prior sanction of leave/intimation from 4-2-94 to 7-2-94. In the fourth warning notice dated 16-3-94, the Petitioner was stated to be absent, without prior sanction of leave/intimation from 10-3-94 to 12-3-94 and in the fifth warning notice dated 5-4-94, it is stated that the Petitioner remained absent, without prior sanction of leave/intimation from 26-3-94 to 2-4-94. Further, it is seen from these five warning notices, Ex. W7 series, the Management has warned this Petitioner to desist from such acts in future, failing which disciplinary action would be initiated against him. From these documentary evidence, produced by the Petitioner himself, it is seen that within the first two years of his service, the Probationary period, the Petitioner was a habituated absentee from attending his responsible duty in the Security Department of the Factory as DURWAN. Ex. M2 is the office copy of the show-cause notice dated 20-9-94, issued by the Respondent Factory to the Petitioner. In that show-cause notice, it is stated that the unauthorised absentee from duty and irregular attendance on the part of Shri K. Pathran, Probationer constitute "Gross Misconduct" and requires to be viewed seriously. He was directed to show-cause as to why his services should not be terminated and he has to reply within 10 days, from the receipt of that notice. Ex. M3 is the reply submitted by the Petitioner to the show-cause notice, the original under Ex. M3. In that reply, the Petitioner has not disputed about his unauthorised absence from duty. He has assured in the reply that he will be regular in his duties henceforth and requested the Management to drop further action and to give an opportunity to serve in a better way. Ex. M5 is a letter dated 14-11-94 sent by the Dy. General Manager (Personnel) for General Manager to the Petitioner, K. Pathran. In that, it is stated that the reply given by the Petitioner to the show-cause notice is found to be not convincing and satisfactory and a warning has been given and his future attendance would be watched and in case of failure to improve his attendance, necessary administrative action would be taken against him, without notice. Ex. M4, is the xerox copy of the order passed by the GM's Secretariat dated 29-10-94 with regard to the extension of the Probationary period for a period of six months, from 19-10-94 (FN). In that order itself, a copy has been marked to the SO/CEA to watch the attendance and performance of Durwan Pathran for a period of six months and to submit a report in that regard. MW/ has de-

posed that the Petitioner was not regularly attending his work, even after the warning under Ex. M5 and absented himself unauthorisedly. He would further say that the Petitioner absented himself from duty for 40 days in 1994 and 68 days during 1995, in the extended period of probation. The Petitioner as WW1 has admitted in the cross-examination that the Management used to maintain Attendance Register and his absence from work on working days used to be marked in the Attendance Register as "A" to denote his absence for the work for the day. It is his further admission that, in the month of February 1995, he did not attend his work continuously for a period of two weeks and it is correct to state that he has not attended the work, on the entire month, March 1995 and those Attendance Registers, four in number from January 1995 to April 1995, maintained in the office are Ex. M1. It is his further admission that he availed Casual Leave, Earned Leave, Leave on loss of pay and that the Security Officer used to warn him that if he does not regular in attending his work, he may even lose his job. He would further admit that he was given a show-cause notice, Ex. M2 for which he gave a reply, Ex. M3. It is also his admission in the cross-examination that his period of probation has been extended for a period of six months from 19-10-94 (FN) and the copy of that order dt. 29-10-94 is Ex. M4. Ex. M7 is a report submitted by the Security Officer dt. 25-8-94 as a Confidential Report regarding the unauthorised absence/irregular attendance duty of Sri K. Pathran. In that report, all the warning notices, five in number given to the Workman Pathran under Ex. M7 series have been mentioned. Ex. M8 is the original office copy of Ex. M4. It contains the signature of the Petitioner Pathran for the receipt of the copy of that order. From all these documents & evidence, it is seen that the Petitioner Pathran was an habituated absentee during the first two years period of probation and also in the subsequent extension period of six months of probation. It is seen from the Attendance Registers, Ex. M1 series for the months of January 1995 to April 1995 that the Petitioner Pathran, remained absent unauthorisedly for 68 days in the extended period of probation. The Petitioner Pathran himself has admitted in the cross-examination that he has not attended the work on the entire month of March 1995 and he did not attend work continuously for two weeks in February, 1995.

So, from all these oral and documentary evidence on either side, it is evidently clear that the Petitioner Pathran who was given the appointment on compassionate ground by the Second Party Management has not served satisfactorily in the post of Durwan in the Security Department of the Factory even during the first two years of probation. Though the Management was considerate by extending his period of probation for further six months to offer him an opportunity to mend himself and also by giving several warnings only, the Petitioner continued his habit of unauthorised absence from duty. It ultimately forced the Management to issue an order of termination of service dt. 3-4-95, under the original of Ex. W2, following Clause-2B of the terms and conditions of service mentioned in the order of appointment dt. 13-10-92, the original of Ex. W1. Further, it is the evidence of WW1, the Petitioner himself that his Mother is now staying with his sister. From this, it is seen that his Mother is not depending on him for her livelihood now.

6. In view of my above findings, I come to the conclusion that the Petitioner Pathran, First Party Workman cannot challenge the action taken against him by the Second Party Management for his misconduct of unauthorised absence from duty, by passing an order of termination of service in his extended probation period. Under such circumstances, I come to the conclusion that the action of the Management, Cordite Factory, Aravankadu, Nilairis in terminating the services of the workman, Sri K. Pathran w.e.f. 3-4-95 is justified and the Workman is not entitled to any relief? Thus, I answer the point accordingly.

7. In the result, I pass an award holding that the Petitioner, First Party Workman is not entitled to any relief as prayed for. No cost.

Dictated to the Stenographer and typed by him direct and corrected and pronounced by me in the open court on this day, the 30th November, 2000.

K. KARTHIKEYAN, Presiding Officer

WITNESS EXAMINED

For Claimant/I Party : WW1, Shri K. Pathran.

For Management/II Party : MW1, Shri K. R. R. Nambodhipad.

DOCUMENTS MARKED

For Claimant/I Party :

- Ex. W1 13-10-92—Xerox copy of offer of Temp. (Durwan) appointment to Sri K. Pathran by Cordite Factory.
- Ex. W2 3-4-95—Xerox copy of termination of services of Sri K. Pathran by Cordite Factory.
- Ex. W3(i) 19-7-95—Carbon copy of reason for termination from I Party to the Management.
- Ex. W3(ii) 19-2-97—Carbon copy of application for apology from I Party to the Management.
- Ex. W3(iii) 21-2-97—Carbon copy of application for apology from I Party to the Management.
- Ex. W3(iv) 17-11-97—Copy of the letter of requisition for consideration to join duty from I Party to the Management.
- Ex. W4 12-2-97—Thumb impression requisition letter from Smt. Pappammal, W/o Kalimuthu to the GM, Cordite Factory (in Tamil).
- Ex. W5(i) 2-7-97—Letter from DGM (Pers.) to Shri K. Pathran regarding non-consideration of employment assistance to Sri K. Pathran.
- Ex. W5(ii) 3-3-97—Letter from Dy. General Manager (Personnel), Cordite Factory regarding non-consideration of employment assistance to Sri K. Pathran.
- Ex. W6 8-2-97—Letter from Addl. GM/C, Cordite Factory reg. reiteration of position as stated in the letter dt. 29-12-96 to Smt. Pappammal.
- Ex. W7(i) 4-12-93—Xerox copy of warning letter to Sri K. Pathran from the Head of Section/Security for 1st time in writing.
- Ex. W7(ii) 8-2-94—Xerox copy of warning letter to Sri K. Pathran from the Head of Section/Security for 2nd time in writing.
- Ex. W7(iii) 11-2-94—Xerox copy of warning letter to Sri K. Pathran from the Head of Section/Security for 3rd time in writing.
- Ex. W7(iv) 16-3-94—Xerox copy of warning letter to Sri K. Pathran from the Head of Section/Security for 4th time in writing.
- Ex. W7(v) 5-4-94—Xerox copy of warning letter to Sri K. Pathran from the Head of Section/Security for 5th time in writing.
- Ex. W8 1-12-97—Letter from the Management reg. termination of service to Sri K. Pathran in Tamil.

For Management/ II Party

- Ex. M1(i) January 1995—Original Muster Roll for Class IV employees.

- Ex. M1(ii) February 1995—Original Muster Roll for Class IV employees.
- Ex. M1(iii) March 1995—Original Muster Roll for Class IV employees.
- Ex. M1(iv) April 1995—Original Muster Roll for Class IV employees.
- Ex. M2 20-9-94—Carbon copy of show-cause notice from GM, Cordite Factory to Sri K. Pathran.
- Ex. M3 — —Letter from Sri K. Pathran to the GM, Cordite Factory to drop the action to be taken against show cause notice dt. 20-9-94.
- Ex. M4 29-10-94—Xerox copy of extension of probationary period by the DGM (Personnel), Cordite Factory to Sri K. Pathran.
- Ex. M5 14-11-94—Carbon copy of letter from the DGM (Personnel), Cordite Factory to Sri K. Pathran reg. the non-convincing reply and further warning and advise to improve attendance, consequent to his unauthorised absence from duty.
- Ex. M6 29-11-94—Acknowledgement of Ex. M5 in original.
- Ex. M7 25-8-94—Letter from Security Officer to DGM (Personnel) reg. NIE-Sri K. Pathran, Durwan-DW. 62/000982 Unauthorised Absence/Irregular Attendance.
- Ex. M8 29-10-94—Carbon copy of order of extension of Probationary period from DGM (Personnel), Cordite Factory to Sri K. Pathran, Durwan.

नई दिल्ली, 5 जनवरी, 2001

का.अ. 162:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कमांडेंट 506 आर्मी बेस वर्कशॉप के प्रबंधन के सबब नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 5-1-2001 को प्राप्त हुआ था।

[स एल-14012/30/92-आई.आर. (डीयू)]
कुल्दीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 5th January, 2001

S.O. 162.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Jabalpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Commandant, 506 Army Base Workshop and their workman, which

was received by the Central Government on 5-1-2001.

[No. L-14012/30/92-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

CASE NO. CGIT/LC/R/247/93

Presiding Officer : Shri K. M. Rai.

Shri Ramnath Vishwakarma,
Tkt. No. 1104 C&J/Mali,
506 Army Base Workshop,
C/o B.da.Silva, Advocate, 18,
South Civil Lines, Jabalpur Applicant

Versus

The Commandant,
506, Army Base Workshop,
Jabalpur Non-applicant

AWARD

Delivered on this 5th day of December, 2000

1. The Government of India, Ministry of Labour vide order No. L-14012/30/92-IRDU dated 13-12-93 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of 506, Army Base Workshop, Jabalpur in terminating the services of Shri Ramnath Vishwakarma ex-labour w.c.f. 4-1-78 is legal and justified? If not what relief the workman is entitled for?”

2. The case of the workman is that he was appointed on 26-2-62 in the Army Base Workshop, Jabalpur. He was confirmed in the year 1972. Due to the marriage of his sister and sister-in-law, he had applied for leave w.c.f. 25-4-77 to 4-5-77 and thereafter due to illness of his wife he was compelled to extend the leave from 25-4-77 to 4-5-77. During this time one of his relatives has expired which compelled to further extend the leave from 1-5-77 to 12-5-77. He joined his duty after availing all the leave. Thereafter on 24-5-77, he was served with a chargesheet regarding the commitment of misconduct for remaining absent without sanction. He had denied the charges in his reply. The regular enquiry was conducted and without supplying

the necessary documents the charges were held to be proved against him. He was not given the proper opportunity for defending himself. Due to illness he could not attend the enquiry proceedings on 18-10-87 and therefore the Enquiry Officer proceeded *ex parte* against him. On the basis of enquiry report, the commandant of the Base Workshop issued a show cause notice proposing the punishment of removal from service. He replied to the show cause notice but to no effect. He was illegally removed from service on 4-1-78. He filed appeal against the order of removal. Ultimately his appeal was rejected. The enquiry was not conducted properly as the Enquiry Officer never applied his mind and acted under undue haste. The punishment is not in proportionate to the alleged misconduct and therefore it deserves to be set aside. He is entitled to reinstatement with all back wages and other monetary benefits.

3. The case for the management is that the workman remained absent for 18 days w.e.f. 25-4-77 to 12-5-77 without sanction of the leave. He was therefore served with a chargesheet under Rule-14 of the CCS (C&A) Rules 1965. He submitted his reply to the charges. The enquiry was conducted properly and he was given proper opportunity to defend himself. As per his request, the memo for charge was translated into Hindi. The showcause notice was also given to him in Hindi for making his representation. The workman intentionally did not appear before the Enquiry Officer on the date of hearing and therefore the Enquiry Officer was justified in proceeding *ex parte* against him. The workman also did not submit the medical certificate in support of his being ill during the enquiry proceeding. He was also permitted to engage his defence Assistant who participated in the enquiry. The workman was given proper opportunity to appear before the Enquiry Officer but he willfully absented himself and he did not participate in the proceedings. Enquiry Officer held the charges proved properly and without any prejudice. The disciplinary authority concurred with the finding of the Enquiry Officer and after considering the reply of workman to the show cause notice He was terminated from service w.e.f. 4-1-78. All the relevant documents were supplied to the workman's defence Assistant on 7-9-77. In this way the management has not violated the principles of natural justice in holding the enquiry against him. The order of removal

from service is just and proper and does not call for any interference.

4. The sole point for determination in the case is as to whether the award of punishment is disproportionate to the alleged misconduct?

5. On 9-10-98, my learned predecessor has held the DE as just and proper. This order has not been challenged by the workman. In view of this matter, the sole question for determination is regarding the quantum of punishment awarded to the workman.

6. According to management, the workman remained absent from duty for a period of 18 days without sanction from the competent authority. This misconduct is not such that the workman should be removed from service. The minor punishment shall meet the ends of justice in the circumstance of the case. I think it proper that the absence from duty for a period of 18 days should be treated as leave without pay. In no case his removal from service is proportionate to the alleged misconduct.

7. In view of the foregoing reasons, I hereby set aside the applicants removal from service w.e.f. 4-1-78. His absence from duty for 18 days shall be treated as leave without pay. He shall be reinstated as if he was not removed from service. On the basis of no work, no pay, the workman shall not be entitled to back wages. The period of his ouster from service shall be treated as duty and it will be counted for fixing his pensionary benefits. Parties shall bear their own costs.

8. Copy of award be sent to the Govt. of India, Ministry of Labour as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 5 जनवरी, 2001

काया 163 --- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में केन्द्रीय सरकार सूपरिन्टेण्डेंट आफ पोस्ट आफिस के प्रबंधन के संबंध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-1-2001 को प्राप्त हुआ था।

[म एन-40011/7/2000—आईआर (डीय)]

कुलदीप राय वर्मा, डैरक अधिकारी

New Delhi, the 5th January, 2001

S.O. 163.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Chennai, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Supdt. of Post Offices, and their workman, which was received by the Central Government on 5-1-2001.

[No. L-40011/7/2000-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday, the 7th December, 2000

PRESENT :

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 23/2000

(In the matter of the dispute for adjudication under Section 10(1) (d) and Sub-Section 2(A) of the Industrial Disputes Act, 1947 between the Workman and the Management of the Superintendent of Post Offices, Tirapattur Division).

BETWEEN

Sri H. Haridoss

—Workman/I Party

AND

The Superintendent of
Post Offices,
Tirapattur Division.

—Management/II Party

APPEARANCE :

For the Workman : M/s. K. M. Ramesh and
A. N. Kumar, Advocates.

For the Management : Sri K. Sambasivam, Addl.
Central Government Standing Counsel.

REFERENCE :

Order No. L-40011/7/2000-IR(DU) dated
21-6-2000, Government of India, Ministry
of Labour, New Delhi.

This dispute on coming up before me for final hearing on 15-11-2000, upon perusing the reference, Claim Statement, Counter Statement and other material papers on record, the documentary evidence let in on the side of Second Party Management only and

upon hearing the arguments of Sri K. M. Ramesh, Counsel for the Workman and Sri K. Sambasivam, Addl. Central Government Standing Counsel for the Management and this dispute having stood over till this date for consideration, this Tribunal passed the following :—

AWARD

This reference by Central Government in the exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Disputes Act, 1947 in respect of the dispute between Sri H. Haridoss, Workman and the Superintendent of Post Offices, Tirapattur Division, Management mentioned as schedule appended to the order of reference.

The schedule reads as follows :

“Whether the action of the Superintendent of Post Offices, Tirapattur in compulsorily retiring the Workman Sh. H. Haridoss, Postal Assistant w.e.f. 25-5-99 is justified? If not, to what relief is he entitled?”

On receipt of this reference, this Industrial Dispute has been taken on file on 27-7-2000 as Industrial Dispute No. 23/2000. On receipt of the notice from this Tribunal, both the parties appeared with their respective counsel and filed their respective Claim Statement and Counter Statement.

1. The averments in the Claim Statement filed by the First Party Workman are briefly as follows :—

The First Party Workman, Sri H. Haridoss joined the postal service as Class-IV employee on 4-9-72 in Vaniyambadi Post Office, under the control of the Second Party. He was promoted as Postal Assistant in the year 1978 and had been continuously working in Vaniyambadi Post Office. He had not been awarded with any major penalty and except for few minor punishment, his past record of service have been clean and unblemished. During the year 1997, due to his ill-health, he could not report for duty. The Second Party, after issuing charge memo, treated his absence as one of “Dies Non”. He became unwell again during the year 1998 and he could not report for duty frequently. On 16-9-98, the Second Party issued a Charge Memo, containing 3 articles of charges for staying away from duty from 23-4-97 to 1-6-98 and from the afternoon of 2-6-98 to 7-6-98 unauthorisedly and from 8-6-98 to 7-7-98; and staying away from duty frequently in different spells during the last nine months from December 1997 and has therefore, become a habitual absentee and has failed to maintain devotion to duty a

enjoined CCS Conduct Rules, 1964. The First Party submitted his explanation in October, 1999, wherein he stated the reasons for his inability to attend the duty and about his hospitalisation and remained as bedrest till 7-6-98. On 8-6-98, though he attended office, due to weakness, he was not able to even stand, and, therefore, he could not attend duty thereafter. He requested the Second Party to treat his period of absence as one of "Dies Non". His absence could not come under habitual absence and pleaded for taking lenient view. The Second Party, not satisfied with his explanation, ordered an enquiry to be conducted. On 12-2-99, he admitted the guilt before the Enquiry Officer who conducted the enquiry since he thought that the charges alleged were so grave and the factor of his absence was true and the Second Party would not view it seriously and order extreme punishment. In view of his submission of guilt, the Enquiry Officer gave a finding, holding him guilty of the charges. The Second Party sent a letter dated 6-4-99, enclosing the findings of the Enquiry Officer to him with the direction to submit his representation over the said findings. Again in his explanation, he once again pleaded guilty and submitted to the Second Party to take a lenient view and to treat the period of absence as "Dies Non". He further requested the Second Party to give him one more chance to serve the Postal Department. However, the Second Party, by his memo. dated 27-5-99 imposed the extreme punishment on the First Party for compulsory retirement. He preferred a statutory appeal to the Director of Postal Services, Northern Region Chennai. The said Appellate Authority, by his proceedings dated 30-10-99, dismissed his appeal, rejecting all his contentions. The Appellate Authority has not adverted to the most important aspect as to whether the punishment awarded to him commensurate with the gravity of charges. The non-consideration of this vital aspect, shows the non-application of mind of the Appellate Authority, which vitiates the whole order. Likewise, the disciplinary authority, has also not taken into consideration, as to why the extreme punishment of compulsory retirement has been chosen when Service Rules provides for various gradations of punishment. Merely because, the First Party had admitted the guilt, which is only minor lapse, it cannot be said that the drastic and severe punishment of compulsory retirement, which is equivalent to termination of service is warranted. The disciplinary authority and Appellate Authority have grossly failed to give cogent and convincing reason as to why the punishment of compulsory retirement has been chosen. He raised an Industrial Dispute before the Asstt. Labour Commissioner (C), Chennai by his petition dated 27-12-99. During the concilia-

tion 'proceedings before the Asstt. Labour Commissioner (C), Chennai, efforts were taken by him to bring about a settlement but it did not materialise due to adamant attitude of the Second Party. Hence the Conciliation Officer submitted his failure report to the Government which in turn referred this Industrial Dispute for adjudication, by this Tribunal. The action of the Second Party in ordering his compulsory retirement is wholly arbitrary, illegal unjustified. The imposing of the extreme penalty itself would amount to victimization and unfair labour practice. The punishment imposed by the Second Party on him is the severest punishment, which is grossly disproportionate to the gravity of the charges. Hence, the imposing of punishment of compulsory retirement passed by the Second Party by its order against the First Party is liable to be set aside and interfered with, in the exercise of the powers conferred under Section-11A of Industrial Disputes Act by this Hon'ble Tribunal. Hence it is prayed that this Hon'ble Tribunal may be pleased to hold that the action of the Second Party in ordering his compulsory retirement is illegal and unjustified and to pass and award, directing the Second Party to reinstate the First Party in service with continuity of service, with backwages and with all other attendant and consequential benefits.

2. The averments in the Counter Statement filed by the Second Party Management are briefly as follows :—

The First Party Workman joined in the Postal Department as Class-IV employee (now Group 'D') on 4-9-72. Later, he was promoted to the cadre of T/S Postal Assistant w.e.f. 22-12-1978. He was not working continuously at Vaniyambadi. He had worked as Ambur SO for more than 4 years, Oomerabad SO for nearly 3 years, 11 months and at Shanankuppam SO for 1 year and 8 months. During his service, he was awarded many minor penalties, mainly for his unauthorised absence from duty, details of which are listed as 9 instances, from 1989 to 1996. Hence, the averment of the First Party Workman that he has rendered unblemished service, is not correct. Further, his averment that due to his ill-health, he absented from duty, is not correct. He was a habitual absentee. His unauthorised absent periods were treated as "Dies Non", works out to 8 months and 7 days from the year 1982 to 1995. During 1996 to 1998 his unauthorised absence for 62 days were treated as "Dies Non". His desertion to duty was on 29-12-97, 30-12-97. In addition, he was awarded with a penalty of reduction of his pay by one stage from Rs. 4700 to Rs. 4600 for six months w.e.f. 1-5-98 under Rule 16 of CCS (CCA) Rules, 1965. He submitted a Medical Certificate for only two days i.e. for

29-12-97 and 30-12-97 and he again remained absent from duty from 31-12-97 (AN) session till 5-1-98. He has not submitted any leave request or Medical certificate for the said period. Therefore, his averment that his absence from duty was due to ill-health is incorrect. Three articles of charges were framed against him and a Memo dated 16-9-98 under Rule 1 of CCS (CCA) Rules, 1965 containing the charges as given to him. The first charge for his staying away from duty unauthorisedly from 2-6-98 (AN) to 16-6-98, while he was working as PA, Vaniyambadi D. The second charge was for his staying away from duty unauthorisedly on 16-7-98 and 7-7-98 and the third charge was for his frequently staying away from duty unauthorisedly, on eight occasions from 9-12-97 to 22-4-98, which were treated as "Dies Non". The Workman, Sri H. Haridoss, by these misconducts of unauthorised absence from duty contravene the provisions of Rule 62 of P&T Manual, Volume-3, thereby he failed to maintain devotion to duty as required of him in Rule 3(i)(ii) of CCS (Conduct) Rules, 1964. His frequent unauthorised absence from Post Office duties hampers the work in Postal Service, which is an essential service. He cannot plead each and every time, to treat the period of his absence as "Dies Non". An enquiry was ordered against him for the charges mentioned in the Memo issued to him. In that enquiry, the workman, H. Haridoss has admitted the charges and pleaded guilty and requested for more chance. His unauthorised absence from duty caused dislocation of normal office work and it is nothing but negligence in the discharge of official duties. Therefore, his action deserves for imposition of major penalty. Accordingly, he was awarded a penalty of compulsory retirement from service as he is not a fit person, to continue in service. He preferred an appeal to the DPS (NR), Chennai and the same was rejected by Memo No. STC/15-17/99 dated 30-10-99. The Appellate Authority has clearly stated that his plea was not acceptable. The Workman cannot seek or claim that he should be given other penalties instead of compulsorily retirement. He was awarded the penalty, only after taken into consideration all the aspects in addition to his own admission of the charges. The First Party Workman has not exhausted all remedies in this case. He has not preferred petition to the Postal Services Board, New Delhi. He may also approach Hon'ble CAT, Chennai Bench as application on any service matters, should be filed before CAT only. Even though, the Postal Services may have been defined as industry, the impugned act of unauthorised absence does not come under the purview of Industrial Dispute, as such acts are governed by separate set of service rules and hence this Tribunal has no jurisdiction to entertain such dispute. All service matter pertaining to the acts

of Government servant, which are separately governed CCS (CCA) Rules, 1965 are liable for adjudication only before the CAT, under the Central Administrative Tribunal Act. The averment of the Workman, First Party that the action of the Second Party is arbitrary, illegal and unjustified is not correct. The action taken by the Second Party is in accordance with rules on the subject. Therefore it is prayed that this Hon'ble Tribunal may be pleased to dismiss the petition with cost.

3. When the matter was taken up for enquiry, Counsel appearing on either side represented that they have no oral evidence to let in on behalf of their respective party. For the Second Party Management alone, documents were marked as their evidence and exhibited as Exhibits M1 to M11. No documentary evidence was let in on the side of the First Party Workman. The learned counsel for the First Party Workman as well as the Second Party Management have advanced their respective arguments.

4. The Point for my consideration is :

"Whether the action of the Superintendent of Post Offices, Tirupattur in compulsorily retiring the workman Sri H. Haridoss Postal Assistant w.e.f. 25-5-99 is justified? If not, to what relief is he entitled?"

Point.—This is a case of an action taken by the Employer i.e. the Superintendent of Post Offices, Tirupattur Division, on the basis of a disciplinary action against the Workman/Employee, Shri H. Haridoss, a Postal Assistant working under his control in the Postal Department. It is admitted that the First Party Workman, Shri H. Haridoss joined the Postal Department as Group 'D' (formerly designated as Class IV) on 4-9-72 in Vaniyambadi Post Office under the control of the Second Party, Superintendent of Post Offices, Tirupattur Division. It is also admitted that the said Workman was promoted as Postal Assistant w.e.f. 22-12-1978. It is an admitted fact that the Workman was not accorded major penalty during his service but was awarded minor penalties for his unauthorised absence from duty. In the Counter Statement of the Second Party, eight instances of unauthorised absence of the Workman/First Party from 1989 to 1996, apart from one instance of temporary misappropriation of Savings Bank Deposit amount of Rs. 90 for his personal use alongwith the minor punishments imposed to the Workman/First Party for those nine instances of misconduct by the disciplinary authority have been clearly mentioned in a tabular column. The First Party Workman has not filed any reply statement denying the same. It is further alleged in the Counter Statement that the First Party Workman was a habitual

absentee and that his unauthorised absence period were treated as "Dies Non" works out to 8 months and 7 days from the year 1982 to 1995 and during 1996 to 1998, 62 days as "Dies Non". It is further alleged in the Counter Statement, that the First Party Workman was awarded with the penalty of reduction of his pay by one stage from Rs. 4700 to Rs. 4600 for six months w.e.f. 1-5-98 under Rule 16 of CCS (CCA) Rules 1965. All these averments in the Counter Statement of the Second Party have not been disputed.

5. It is the case of the First Party Workman that during the year 1998, he became unwell and he could not report for duty frequently and that on 16-9-98, he was issued a Charge Memo containing three articles of charges as (i) his staying away from duty from 23-4-98 to 1-6-98 and from the afternoon of 2-6-98 to 7-6-98 unauthorisedly, (ii) staying away from duty unauthorisedly from 8-6-98 to 5-7-98, and from 6-7-98 to 7-7-98 and (iii) had been frequently staying away from duty in different spells during the last nine months from December, 1997. That Charge Memo is Ex. M1. The Ex. M2 is the postal acknowledgement card for the receipt of the Charge Memo under Regd. Post by the First Party Workman. The Ex. M3 is the reply given by the First Party Workman to the Second Party dt. 15-10-98. In that letter, the First Party/Workman has admitted all the three articles of charges and has pleaded for mercy. Ex. M4 is a letter dt. 30-3-99 by the Enquiry Officer to the Second Party. In that, he has stated that the charged government servant has admitted all the charges during the preliminary sitting held on 12-2-99 and hence no further enquiry was conducted. Alongwith that letter, the records in respect of the entire proceedings has been submitted. From that report, it is seen that the Enquiry Officer has conducted proper and valid enquiry giving the charged official, a fair and sufficient opportunity to defend his case. The fact of the charged official accepting all the three charges has been duly recorded by the Enquiry Officer and the charged official, the First Party herein has subscribed his signature for the entire proceedings. Ex. M5 is the letter dt. 15-4-99 sent by the First Party Workman to the Second Party as his reply for the Enquiry Officer's Report he received. In that letter, he has stated that he has nothing to represent against the report of I.O. except what he had already deposed during the course of enquiry held on 12-2-99. He has further pleaded in that letter, addressed to the Second Party to take pity on him and to give him one more chance to make amends and he promised that he will never let such things happen again. Ex. M7 is the proceedings of the Second Party dt. 27-5-99. The Second Party after considering all these aspects, passed an order against

the First Party to compulsorily retire him from service with immediate effect. Ex. M8 is the postal acknowledgement card for the receipt of Ex. M7 order, by the First Party Workman. Ex. M9 is the Relieving Order passed by the Sub-Post Master, Vaniyambadi dt. 28-5-99 relieving the First Party Workman, Shri H. Haridoss on the FN of 28-5-99 as compulsorily retired from service. Ex. M10 is the appeal preferred by the First Party Workman to the Director of Postal Services, Northern Region, Chennai against the order of the Second Party dated 27-5-99. Ex. M11 is the proceedings of Director of Postal Services, Northern Region, Chennai dated 30-10-99. The appeal preferred by the First Party vide Ex. M10 was rejected under Ex. M11 as it lacks in merit, and the appeal has no valid grounds to interfere into the proceedings of the disciplinary authority. All these documents are not disputed by the First Party Workman. He has not filed any document on his side in support of his version that due to his ill-health, he was obliged to be stayed away from service unauthorisedly. Further, he has not chosen to go into the box to give any oral evidence in support of his stand. Thus, all the documentary evidence have not been disputed by the First Party Workman and they remain uncontraverted.

6. The only point that has been urged by the learned counsel for the First Party Workman is that merely because the First Party had admitted the guilt. It is only minor lapse the disciplinary authority cannot impose a severe punishment of compulsory retirement which is equivalent to termination from service and that the disciplinary authority and the appellate authority have grossly failed to give cogent and convincing reason as to why the punishment of compulsory retirement has been chosen. He would further contend that the action of the Superintendent of Post Offices, Tirupattur Division in ordering compulsory retirement against the Workman, Shri H. Haridoss, working as a Postal Assistant under his control is wholly arbitrary, illegal and unjustified and that the imposition of extreme penalty itself would amount to victimization and unfair labour practice and it is also grossly disproportionate to the gravity of charges alleged against the Workman, Haridoss and hence this Hon'ble Tribunal should interfere with the imposing of punishment by the disciplinary authority by exercising the powers under the provision under Section-11A of Industrial Disputes Act and to set aside the said order and to grant a relief of reinstatement of service with backwages, with continuity of service and with all other attendant benefits.

7 The only thing that has to be considered now is whether the punishment imposed by the disciplinary authority against the First Party Workman, on the basis of his admitting guilty for all the charges alleged

against him is amounts to grossly disproportionate to the gravity of the charges.

8. The learned counsel for the Second Party Management has contended that the disciplinary authority after due consideration of the facts, Enquiry Officer's report and the previous service records of the First Party Workman has come to the proper conclusion in awarding the punishment to the First Party Workman in accordance with the rules on the subject. He would further contend that the disciplinary authority having found the nature of the charges which were proved and the First Party Workman's gross negligence to rules considered that the First Party Workman is not a fit person to continue in service has awarded the punishment of compulsory retirement from service and subsequently the competent authority also, after careful consideration has rejected the statutory appeal filed by the First Party Workman against the decision of the disciplinary authority. The Ex. M6 is the Service Book of the First Party Workman speaks volume about the misconduct and the dereliction of duty by the First Party Workman, while he was in service. He would further argue that the disciplinary authority as well as the appellate authority have arrived at their respective decisions only after considering the past service of this First Party Workman and the various punishments that were awarded to him at various periods of his unauthorised absence from duty, and hence this Tribunal has no scope to interfere with the action of the Superintendent of Post Offices, Tirupattur Division in compulsorily retiring the Workman, Haridoss from service by invoking the power under the Section-11A of the Industrial Disputes Act and the claim has got to be dismissed with cost.

9. A perusal of the records, Ex. M1 to M11, filed by the Management/Second Party enable me to come to a conclusion that the argument advanced by the learned counsel for the Second Party Management can be accepted as correct. Further, as it is contended by the learned counsel for the Second Party Management, the records in this case pertaining to the First Party Workman's service in this department, clearly shows that there is lack of devotion to duty by this public servant as a Postal Assistant. His frequent unauthorised absence in post office duties hampers the work in the postal service, which is an essential service cannot be disputed. This First Party Workman has shown to be a Postal Assistant, failed to maintain devotion to duty as enjoined in Rule 3(i)(ii) of CCS Conduct Rules, 1964. The Second Party Management, Superintendent of Post Offices, Tirupattur Division in his order Ex. M7 has stated that the unauthorised absence for which the charges have been issued is very serious in nature, as such absence had dislocated the essential service in Post Office and

there is no proper and valid reason for such unauthorised absence. It is his further observation in that order that the charged official has clearly violated Rules 62 and 162 of Postal Manual, Volume-III. He would further say in that order, that he is convinced that any leniency shown to the official, will not improve his behaviour and he is unsuitable for being retained in service. It is also stated that in view of the repetitive nature of the charge and his gross negligence to the rules and regulations, the official deserves a very severe and deterrent punishment. This observation of the authority was arrived at after considering the punishment awarded to the First Party Workman on nine earlier occasions. He was punished with withholding of one increment for six months without cumulative effect and at another occasion for three months without cumulative effect and at yet another occasion for four months without cumulative effect. In addition to that, it is an admitted case this his pay was reduced by two stages for two months from 1-3-1993, and again reduced by one stage for one year from 1-11-95 to 31-10-96 and reducing his pay by three stages for three months from 1-9-96 and also reduced his pay by one stage for six months w.e.f. 1-6-96. All these things are categorised as Major Penalties under Rule 19, Sub-clause-V, CCS (CCA) Rules, 1965. So, having given major penalties of such reduction in pay for four times as stated above, the disciplinary authority having found that the First Party Workman is not a fit person to continue in service has imposed the punishment of compulsory retirement from service as per the provision under Rule 19, Clause-VII of CSS(CCA) Rules, 1965. This punishment was imposed by the disciplinary authority on the basis of his conclusion that the First Party Workman is a habitual absence and his attitude is a gross negligence to rules and regulations and hence he deserves a very severe and deterrent punishment. So, under such circumstances, it cannot be considered that the action of the Second Party in ordering compulsory retirement of the First Party Workman is wholly, arbitrary illegal and unjustified and it cannot be said that it amounts to victimization and unfair labour practice and the punishment is grossly disproportionate to the gravity of the charges. The Appellate authority by rejecting the appeal of the First Party Workman in his proceedings under Ex. M11 has stated that the Workman had no valid grounds, raised in the appeal for him to interfere into the proceedings of the disciplinary authority. He has also come to that conclusion after carefully gone through the appeal and connected records as he has stated in his order. Under such circumstances, this Tribunal has no other go, except to confirm that the order of the disciplinary authority under Ex. M7, which is subsequently confirmed by the Appellate Authority under

his order, Ex. M11 by rejecting the appeal preferred by the Workman|First Party. In view of the above conclusion, I find that the action of the Superintendent of Post Offices, Tirupattur Division in compulsorily retiring the Workman, Sri, H. Haridoss. Postal Assistant w.e.f. 25-5-99 is justified and the First Party Workman is not entitled to any relief Thus, I answer the point accordingly.

10. In the result, an award is passed holding that the First Party Workman is not entitled to any relief as prayed for. No cost.

Dictated to the Stenographer, typed by him direct and corrected and pronounced by me in the open court on this day, the 7th December, 2000.

K. KARTHIKEYAN, Presiding Officer

WITNESSES EXAMINED

For Claimant : None.

For Management : None.

DOCUMENTS MARKED

For Claimant : None.

For Management

Ex. NO.	DATE	DESCRIPTION
M1.	16-09-98	: Memo No. B/24 to I Party from the Management.

M2. 24-09-98 : Postal Ack. Card.

M3. 15-10-98 : Original letter from I Party to the Management reg. proposed inquiry under Rule 14.

M4. 30-03-99 : Original letter No. INQ/IO-2/99 reg. inquiry case of the I Party.

M5. 1504-99 : Original letter from I Party to the Management reg. Inquiry under Rule 14.

M6. — : Service Book of I Party.

M7. 27-05-99 : Office copy of the proceedings bearing Memo No. B/324.

M8. 28-05-99 : Postal Ack. Card.

M9. 28-05-99 : Original Charge Report & Receipt for cash and stamps on transfer of charge for Memo No. B/3-24 dated 25-5-99.

M10. 23-06-99 : Carbon copy of the letter from the I Party to the Director of Postal Services.

M11. 30-10-99 : Letter No. STC/15-171/99 reg. Proceedings.